THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 16 NUMBER 242

Washington, Friday, December 14, 1951

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 27—EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENT OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

ST. ELIZABETHS HOSPITAL

1. Effective December 1, 1951, the list of positions excluded from the provisions of the Federal Employees Pay Act and the Classification Act in § 27.1 is amended by the addition of the following:

§ 27.1 *Exclusion from provisions of Federal Employees Pay Act and Classification Act.* * * *

Practical Nurse Affiliate at St. Elizabeths Hospital, three months approved postgraduate training.

2. Effective December 1, 1951, the list of position for which maximum stipends have been prescribed in § 27.2 is amended by the addition of the following:

§ 27.2 *Maximum stipends prescribed.* * * *

Practical Nurse Affiliate—St. Elizabeths Hospital: Three months approved postgraduate training—no stipend other than any maintenance provided.

(61 Stat. 737; 5 U. S. C. 1051–1058)

UNITED STATES CIVIL SERVICE COMMISSION,
ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 51-14845; Filed, Dec. 13, 1951; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Grapefruit Reg. 80]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.341 *Grapefruit Regulation 80*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effec-

(Continued on p. 12607)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

tive in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 16, 1951. Shipments of grapefruit, grown as aforesaid, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 21, 1951, and will so continue until December 16, 1951; the recommendation and supporting information for continued regulation subsequent to December 15, 1951, was promptly submitted to the Department after an open meeting of the Administrative Committee on December 6; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation. Initial appointments to a tion concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., December 16, 1951, and ending at 12:01 a. m., P. s. t., January 13, 1952, no handler shall ship:

(i) Any grapefruit of any variety grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, unless such grapefruit are at least fairly well colored, and otherwise grade at least U. S. No. 2; or

(ii) From the State of California or the State of Arizona (*a*) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than $3^{11}/_{16}$ inches in diameter, or (*b*) to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than $3^{9}/_{16}$ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona), 7 CFR 51.241: *Provided,* That, in determining the percentage of grapefruit in any lot which are smaller than $3^{11}/_{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $4^{2}/_{16}$ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than $3^{9}/_{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $3^{13}/_{16}$ inches in diameter and smaller.

(2) As used in this section, "handler," "variety," "grapefruit," and "ship" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2" and "fairly well colored" shall each have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona), 7 CFR 51.241.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 11th day of December 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-14868; Filed, Dec. 13, 1951; 8:51 a. m.]

PART 978—MILK IN THE NASHVILLE, TENNESSEE, MARKETING AREA

SUBPART—ORDER RELATIVE TO HANDLING

MISCELLANEOUS PROVISIONS

Sec.
978.110 Separability of provisions.
978.111 Agents.

AUTHORITY: §§ 978.0 to 978.111 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

§ 978.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Nashville, Tennessee, on August 23–24, 1951, upon a proposed marketing agreement and certain proposed amendments to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest: and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended, which is marketed within the said marketing area, refused or failed to sign the marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act:

(2) The issuance of this order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of its issuance, and who, during the determined representative period (September 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Nashville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

DEFINITION

§ 978.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 978.2 *Secretary.* "Secretary" means the Secretary of Agriculture or any officer or employee of the United States authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

§ 978.3 *Department of Agriculture.* "Department of Agriculture" means the United States Department of Agriculture or any other Federal agency as may be authorized by act of Congress or by Executive order to perform the price reporting functions of the United States Department of Agriculture.

§ 978.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 978.5 *Nashville, Tennessee, marketing area.* "Nashville, Tennessee, marketing area" hereinafter called the "marketing area" means all the territory within Davidson County, Tennessee, including but not being limited to the cities of Nashville and Belle Meade.

§ 978.6 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and is authorized by its members to make collective sales or to market milk or its products for the producers thereof.

§ 978.7 *Producer-handler.* "Producer-handler" means any person who is both a producer and a handler who receives no milk from other producers.

§ 978.8 *Delivery period.* "Delivery period" means a calendar month, or the portion thereof during which the regulation in this subpart are in effect.

§ 978.9 *Fluid milk plant.* "Fluid milk plant" means the premises and the portions of the building and facilities used in the receipts and processing or packaging of producer milk, all, or a portion, of which is disposed of from such plant within the delivery period as Class I milk in the marketing area; but not including any portion of such building or facilities used for receiving or processing milk or any milk product required by the appropriate health authority in the marketing area to be kept physically separate from the receiving and processing or packaging of milk for disposition as Class I milk in the marketing area.

§ 978.10 *Producer.* "Producer" means any person who produces milk under a dairy farm inspection permit issued by the appropriate health authority in the marketing area, and whose milk conforms to the appropriate health standards for milk for fluid consumption, which milk is: (a) Received at a fluid milk plant, or (b) diverted from a fluid milk plant to any milk distributing or milk manufacturing plant: *Provided,* That any such milk so diverted shall be deemed to have been received by the handler for whose account it was diverted.

§ 978.11 *Handler.* "Handler" means (a) any person who operates a fluid milk plant, or (b) any cooperative association of producers with respect to producer milk diverted by it from a fluid milk plant to any milk distributing or milk manufacturing plant for the account of such association.

§ 978.12 *Nonfluid milk plant.* "Nonfluid milk plant" means any milk manufacturing, processing, or bottling plant other than a fluid milk plant described in § 978.9.

§ 978.13 *Other source milk.* "Other source milk" means all skim milk and butterfat received in any form from a producer-handler or a source other than producers or other handlers, except any nonfluid milk product which is received and disposed of in the same form.

§ 978.14 *Producer milk.* "Producer milk" means milk produced by one or more producers.

§ 978.15 *Base milk.* "Base milk" means milk received by a handler from a producer during any of the delivery periods of March through August which is not in excess of such producer's daily average base computed pursuant to § 978.60 multiplied by the number of days in such delivery period.

§ 978.16 *Excess milk.* "Excess milk" means milk received by a handler from a producer during any of the delivery periods of March through August which is in excess of base milk received from such producer during such delivery period, and shall include all milk received during such delivery periods from a producer for whom no daily average base can be computed pursuant to § 978.60.

MARKET ADMINISTRATOR

§ 978.20 *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by the Secretary, who shall be entitled

to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 978.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 978.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including, but not limited to, the following:

(a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay, out of the funds provided by § 978.85, (1) the cost of his bond and of the bonds of his employees, (2) his own compensation, and (3) all other expenses, except those incurred under § 978.86, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this subpart, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 5 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to §§ 978.30 and 978.31, or (2) payments pursuant to §§ 978.80, 978.83 and 978.85;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be required by the Secretary;

(h) Prepare and make available for the benefit of producers, consumers, and handlers, general statistics and information concerning the operation of this subpart as are necessary and essential to the proper functioning of this marketing order;

(i) Verify all reports and payments by each handler by audit, if necessary, of such handler's records and the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends; and

(j) Publicly announce the prices and butterfat differentials determined for each delivery period as follows: (1) On or before the 6th day after the end of such delivery period, the price and butterfat differential for Class II milk computed pursuant to §§ 978.51 and 978.52; and (2) on or before the 10th day after the end of such delivery period, the uniform price(s), computed pursuant to §§ 978.71 and 978.72, the butterfat differential to be paid pursuant to § 978.82 and the Class I price and butterfat differential for the next following delivery period pursuant to §§ 978.51 and 978.52.

REPORTS, RECORDS, AND FACILITIES

§ 978.30 *Reports of receipts and utilization.* On or before the 6th day after the end of each delivery period each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator:

(a) The quantities of skim milk and butterfat contained in (1) all receipts at his fluid milk plant(s) within such delivery period of (i) producer milk, (ii) milk, skim milk, cream, and milk products from other handlers, and (iii) other source milk; and (2) milk diverted pursuant to § 978.10 (b); and

(b) The utilization of all skim milk and butterfat required to be reported under paragraph (a) of this section.

§ 978.31 *Other reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator as follows, except that each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request:

(a) On or before the 6th day after the end of each delivery period, a report which shall show for each producer (1) his correct name and address, (2) the total pounds and average butterfat content of milk delivered during such delivery period, (3) for the months of March through August the total pounds of base milk and excess milk delivered, and (4) the amount of any deductions authorized in writing by the producer to be made in making payments to such producer;

(b) On or before the 21st day of each delivery period, the correct name and address of each producer and the total pounds of milk delivered by such producer during the first 15 days of such delivery period;

(c) On or before the first day other source milk is received his intention to receive such milk, and on or before the last day such milk is received his intention to discontinue such receipts.

§ 978.32 *Reports to cooperative association.* On or before the 15th day after the end of each delivery period, the market administrator shall report to each cooperative association as described in § 978.86 (b), upon request by such association, the percentage of milk caused to be delivered by such association or by its members which was used in each class by each handler receiving any such milk. For the purpose of this report the milk so received shall be prorated to each class in the proportion that the total receipts of milk from producers by such handler were used in each class.

§ 978.33 *Records and facilities.* Each handler shall keep adequate records of receipts and utilization of skim milk and butterfat and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to (a) verify the receipts and utilization of all skim milk and butterfat and, in case of errors or omissions, ascertain the correct figures; (b) weigh, sample and test for butterfat content all milk and milk products handled; (c) verify deductions authorized by producers; and (d) make such examinations of operations, equipment, and facilities as the market administrator deems necessary.

§ 978.34 *Retension of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the calendar month to which such books and records pertain: *Provided,* That if, within such 3-year period the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION OF MILK

§ 978.40 *Basis of classification.* All skim milk and butterfat contained in (a) milk, skim milk, cream and milk products received at a fluid milk plant and (b) producer milk diverted pursuant to § 978.10 (b) shall be classified by the market administrator in the classes set forth in § 978.41.

§ 978.41 *Classes of utilization.* Subject to the conditions set forth in § 978.42 through § 978.45, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk and butterfat: (1) Disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, eggnog, yoghurt, and any other milk product which is required by the Nashville Health Department to be made from approved butterfat and skim milk, and (2) not specifically accounted for as Class II milk.

(b) Class II milk shall be all skim milk and butterfat: (1) Used to produce any item other than those specified in paragraph (a) of this section; (2) in inventory variations; (3) disposed of for livestock feed; (4) in actual plant shrinkage of skim milk and butterfat received in producer milk, but not in excess of 3 percent of such receipts of skim milk and butterfat, respectively, hereinafter known as allowable shrinkage;

and (5) in actual plant shrinkage of skim milk and butterfat, respectively, in other source milk received: *Provided*, That if producer milk is utilized as milk, skim milk, or cream in conjunction with other source milk the shrinkage of skim milk and butterfat, respectively, allocated to producer milk and other source milk shall be computed pro rata according to the proportions of the volumes of skim milk and butterfat, respectively, received from such sources to their total.

§ 978.42 *Responsibility of handlers and reclassification of milk.* (a) All skim milk and butterfat shall be classified as Class I milk unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified in another class.

(b) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or re-used by such handler or by another handler in another class.

§ 978.43 *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(a) As Class I milk if transferred or diverted to a fluid milk plant of another handler (except a producer-handler), unless utilization in Class II milk is mutually indicated in writing to the market administrator by both handlers on or before the 6th day after the end of the delivery period within which such transaction occurred: *Provided*, That skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in such class in the plant of the transferee-handler after the subtraction of other source milk pursuant to § 978.45, and any excess of such skim milk or butterfat respectively shall be assigned to Class I milk.

(b) As Class I milk if transferred or diverted in the form of any item specified in § 978.41 (a) to a producer-handler.

(c) As Class I milk if transferred or diverted to a nonfluid milk plant located less than 85 miles from the City Hall at Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless (1) the handler claims Class II milk on the basis of a utilization mutually indicated in writing to the market administrator by both the operator of the nonfluid milk plant and the handler on or before the 6th day after the end of the delivery period within which such transaction occurred, (2) the operator of the nonfluid milk plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (3) not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statement: *Provided*, That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use the remaining pounds shall be classified as Class I milk.

(d) As Class I milk if transferred or diverted in the form of any item specified § 978.41 (a) to a nonfluid milk plant located 85 miles or more from the City Hall in Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless in the case of bulk fluid cream only (1) the handler claims Class II utilization, (2) such cream is disposed of other than as Grade A cream under a Grade A certification or label of the handler or the health authority(s) having jurisdiction over inspection of the handler's plant, (3) the handler tags or otherwise labels such cream "for manufacturing uses" and (4) the handler notifies the market administrator 24 hours in advance of his intention to make such Class II disposition.

§ 978.44 *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

§ 978.45 *Allocation of skim milk and butterfat classified.* (a) The pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler:

(1) Subtract allowable shrinkage of skim milk from the total pounds of skim milk in Class II milk;

(2) Subtract from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced available use, the pounds of skim milk in other source milk:

(3) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pursuant to § 978.43 (a);

(4) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced utilization.

(b) Allocate the pounds of butterfat in each class to producer milk in the same manner prescribed for skim milk in paragraph (a) of this section.

(c) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to paragraphs (a) and (b) of this section, and determine the percentage of butterfat in each class.

MINIMUM PRICES

§ 978.50 *Basic formula price.* The basic formula price per hundredweight (computed to the nearest tenth of a cent) to be used in determining the price for Class I milk pursuant to § 978.51 shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content computed pursuant to paragraphs (a), (b), or (c) of this section or § 978.51 (b), all for the preceding delivery period.

(a) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 10th day after the end of the delivery period by the companies listed below:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential computed pursuant to § 978.82 by 5.

(b) The price per hundredweight computed as follows:

(1) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period;

(2) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on such Exchange, the weekly prevailing price per pound of "Cheddars" shall be used; and

(3) Divide by 7, add 30 percent thereof, and then multiply by 4.

(c) The price per hundredweight computed as follows:

Multiply by 4.0 the arithmetical average of daily wholesale prices per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, add 20 percent thereof, and add to such sum 3¾ cents for each full ½ cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids (not including that specifically designated animal feed) spray and roller process, f. o. b. Chicago area manufacturing plants, as reported by the Department of Agriculture during the delivery period, is above 5 cents: *Provided*, That if such f. o. b. manufacturing plant prices of nonfat dry milk solids are not reported there shall be used for the purpose of such computation, the arithmetical average of the carlot prices of nonfat dry milk solids delivered at Chicago, Illinois, as reported weekly by the Department of Agriculture during the delivery period;

and in the latter event the "5 cents" shall be increased by 1 cent.

§ 978.51 *Class prices.* Subject to the provisions of § 978.52, the minimum prices per hundredweight to be paid by each handler for milk received at his fluid milk plant from producers during the delivery period shall be as follows:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price plus a differential of $1.25, plus or minus a supply-demand adjustment computed as follows:

(1) Divide the total receipts of producer milk in the first and second preceding delivery periods by the total gross volume of Class I milk (less interhandler transfers) for such period, multiply the result by 100, and round to the nearest whole number. The result shall be known as the "current supply-demand relationship."

(2) Compute a net deviation percentage by subtracting from the "current supply-demand relationship" computed pursuant to subparagraph (1) of this paragraph, the "base period supply-demand index" shown below:

Delivery period for which the Class I price is computed	Delivery periods used to compute relationship	Base period supply-demand index
		Percent
January	November-December	109
February	December-January	111
March	January-February	113
April	February-March	119
May	March-April	132
June	April-May	145
July	May-June	147
August	June-July	144
September	July-August	140
October	August-September	128
November	September-October	115
December	October-November	109

(3) Determine the amount of the supply-demand adjustment from the following schedule:

Net deviation (percentage points):	*Adjustment amount (cents)*
−24 or more	+49
−21 or −22	+43
−18 or −19	+37
−15 or −16	+31
−12 or −13	+25
−9 or −10	+19
−6 or −7	+13
−3 or −4	+7
−1, 0, or +1	0
+3 or +4	−7
+6 or +7	−13
+9 or +10	−19
+12 or +13	−25
+15 or +16	−31
+18 or +19	−37
+21 or +22	−43
+24 or more	−49

In case the net deviation percentage does not fall within the tabulated brackets, the adjustment amount shall be determined by the adjacent net deviation bracket which is the same as or nearest to the bracket used in the previous month: *Provided,* That the Class I differential adjusted pursuant to this subparagraph for each of the months of May, June and July shall not be more than such adjusted differential for the immediately preceding month of April; and that the Class I differential adjusted pursuant to this subparagraph for each of the months of November, December, and January shall not be less than such adjusted differential for the month of October.

(b) *Class II milk.* The price per hundredweight for Class II milk shall be the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies indicated below:

Company and Location

Cudahy Packing Co., Lafayette, Tenn.
Carnation Co., Murfreesboro, Tenn.
Kraft Foods Co., Gallatin, Tenn.
Borden Co., Fayetteville, Tenn.
Swift & Co., Lebanon, Tenn.
Borden Co., Lewisburg, Tenn.
Kraft Foods Co., Pulaski, Tenn.
Lakeshire-Marty Cheese Co., Carthage, Tenn.
Swift & Co., Lawrenceburg, Tenn.
Wilson & Co., Murfreesboro, Tenn.

§ 978.52 *Butterfat differentials to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler, pursuant to § 978.45, is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of 1 percent that such weighted average butterfat test is above or below, respectively, 4.0 percent, a butterfat differential (computed to the nearest 10th of a cent), calculated for each class of utilization as follows:

(a) *Class I milk.* Multiply by 1.3 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the preceding delivery period, and divide the result by 10.

(b) *Class II milk.* Multiply by 1.15 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

DETERMINATION OF BASE

§ 978.60 *Computation of daily average base for each producer.* For the months of March through August of each year, subject to the rules set forth in § 978.61, the market administrator shall compute a daily average base for each producer as follows:

(a) Divide the total pounds of milk received by a handler(s) from such producer during the months of September through February immediately preceding by the number of days from the first day of delivery by such producer during such months to the last day of February, inclusive, but not less than 120 days.

§ 978.61 *Base rules.* The following rules shall apply in connection with the establishment of bases:

(a) A base shall apply to deliveries of milk by the producer for whose account that milk was delivered during the base forming period;

(b) Bases may be transferred by notifying the market administrator in writing before the last day of any month for which such base is to be transferred to the person named in such notice only as follows:

(1) In the event of the death, retirement, or entry into military service of a producer, the entire base may be transferred to a member(s) of such producer's immediate family who carries on the dairy operations.

(2) If a base is held jointly and such joint holding is terminated, the entire base may be transferred to one of the joint holders.

§ 978.62 *Announcement of established bases.* On or before March 25, of each year, the market administrator shall notify each producer and the handler receiving milk from such producer the daily base established by such producer.

DETERMINATION OF UNIFORM PRICES TO PRODUCER

§ 978.70 *Computation of value of milk.* The value of producer milk received during each delivery period by each handler shall be a sum of money computed by the market administrator by multiplying the pounds of such milk in each class for the delivery period by the applicable class price and adding together the resulting amounts: *Provided,* That if a handler, after subtracting receipts of other source milk and receipts from other handlers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which, on the basis of his report for the delivery period pursuant to § 978.30, has been credited to producers as having been received from them, there shall be added any plus amount computed by multiplying the pounds in each class as subtracted pursuant to paragraphs (a) (4) and (b) of § 978.45 by the applicable class price adjusted by the butterfat differential to handlers specified in § 978.52.

§ 978.71 *Computation of uniform price.* For the delivery periods of September through February the market administrator shall compute the uniform price per hundredweight for producer milk, on the basis of 4.0 percent butterfat content, as follows:

(a) Combine into one total the values computed pursuant to § 978.70 for all handlers who made the reports prescribed by § 978.30 for such delivery period, except those in default of payments required pursuant to § 978.80 for the preceding delivery period;

(b) Subtract if the average butterfat content of producer milk represented by the values included under paragraph (a) of this section is greater than 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, an amount computed as follows: Multiply the amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential computed pursuant to § 978.82 and multiply the result by the total hundredweight of such milk;

(c) Add an amount representing the cash balance on hand in the producer settlement fund, less the total amount of contingent obligations pursuant to § 978.81 (b) (5) and § 978.83;

(d) Divide the resulting amount by the total hundredweight of producer milk included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash operating balance. This result shall be known as the "uniform price" per hundredweight for such delivery period for producer milk containing 4.0 percent butterfat, f. o. b. fluid milk plant.

§ 978.72 *Computation of uniform prices for base milk and excess milk.* For each of the delivery periods of March through August, the market administrator shall compute the uniform prices per hundredweight for base milk and for excess milk, each of 4.0 percent butterfat content, as follows:

(a) Combine into one total the values computed pursuant to § 978.70 for all handlers who made the reports prescribed by § 978.30 for such delivery period, except those in default of payment required pursuant to § 978.80 for the preceding delivery period;

(b) Subtract if the average butterfat content of producer milk represented by the values included under paragraph (a) of this section is greater than 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, an amount computed as follows: Multiply the amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential computed pursuant to § 978.82, and multiply the result by the total hundredweight of such milk.

(c) Add an amount representing the cash balance on hand in the producer-settlement fund, less the total amount of contingent obligations pursuant to § 978.81 (b) (5) and § 978.83.

(d) Compute the value on a 4.0 percent butterfat basis of the aggregate quantity of excess milk for all handlers included in the computation pursuant to paragraph (a) of this section by multiplying the hundredweight of such milk not in excess of the total quantity of Class II milk included in such computation by the price for Class II milk of 4.0 percent butterfat content, multiplying the hundredweight of such milk in excess of the total hundredweight of such Class II milk by the price for Class I milk of 4.0 percent butterfat content and adding together the resulting amounts;

(e) Divide the total value of excess milk obtained in paragraph (d) of this section by the total hundredweight of such milk, and adjust to the nearest cent. The resulting figure shall be the uniform price for excess milk of 4.0 percent butterfat content received from producers.

(f) Subtract the value of excess milk determined by applying the uniform price obtained in paragraph (e) of this section from the value of all milk obtained in paragraph (c) of this section;

(g) Divide the amount obtained in paragraph (f) of this section by the total hundredweight of base milk included in these computations;

(h) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (g) of this section. The resulting figure shall be the uniform price for base milk of 4.0 percent butterfat content received from producers.

§ 978.73 *Notification of handlers.* On or before the 10th day after the end of each delivery period, the market administrator shall mail to each handler, at his last known address, a statement showing:

(a) The amount and value of his producer milk in each class and the totals thereof;

(b) The amount and value of any overage; and the amount necessary to correct errors discovered by the market administrator in the verification of reports of such handlers receipts and utilization for previous months;

(c) The uniform price(s) computed pursuant to §§ 978.71 and 978.72 and the butterfat differential computed pursuant to §§ 978.82; and

(d) The amounts to be paid by such handler pursuant to §§ 978.80 and 978.85.

PAYMENTS

§ 978.80 *Payments to market administrator.* (a) On or before the 25th day of each month each handler shall pay to the market administrator a sum of money equal to the value of milk received by him from producers during the first 15 days of such month at not less than the Class II price for the preceding delivery period.

(b) On or before the 12th day of each month each handler shall pay to the market administrator an amount equal to such handler's net obligation for the previous delivery period as determined pursuant to § 978.70 less payments made pursuant to paragraph (a) of this section and less proper deductions authorized in writing by producers from whom such handler received milk. The market administrator shall maintain a producer-settlement fund in which he shall deposit all payments of handlers received pursuant to this section and out of which he shall make all payments pursuant to § 978.81.

§ 978.81 *Payments to producers.* (a) On or before the last day of each delivery period the market administrator shall make payment to each producer for milk received by a handler from such producer during the first 15 days of such delivery period at not less than the Class II price per hundredweight for the preceding delivery period.

(b) On or before the 15th day after the end of each delivery period the market administrator shall make payment to each producer for milk received by a handler from such producer during the delivery period at not less than the uniform price computed pursuant to § 978.71, if such delivery period is any of the months of September through February, or at not less than the uniform price for base milk computed pursuant to § 978.72 with respect to base milk received from such producer and at not less than the uniform price for excess milk computed pursuant to § 978.72 with respect to excess milk received from such producer, if such delivery period is any of the months of March through August, subject to the following adjustments: (1) The butterfat differential pursuant to § 978.82, (2) less payments made pursuant to paragraph (a) of this section, (3) less marketing service deductions pursuant to § 978.85, (4) less proper deductions authorized in writing by the producer, and (5) adjusted for any error in calculating payment to such individual producer for past delivery period: *Provided*, That if the market administrator has not received full payment from any handler for such delivery period pursuant to § 978.80, he shall reduce uniformly per hundredweight his payments due such handler's producers for milk received by such handler by a total amount not in excess of the amount due from such handler: *Provided further*, That the market administrator shall make such balance of payment to such producers on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from such handler.

(c) In making payments to producers pursuant to paragraphs (a) and (b) of this section the market administrator shall pay, on or before the 2d day prior to the date payments are due to individual producers, to a cooperative association which is authorized to collect payment for milk of its members and from which a request for such payment has been received, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers pursuant to this section.

§ 978.82 *Butterfat differential to producers.* If, during the delivery period, any handler has received from any producer or cooperative association, milk having an average butterfat content other than 4.0 percent, the market administrator in making payments prescribed in § 978.81 (b), shall add to the uniform price(s) per hundredweight paid to such producer or cooperative association for each one-tenth of 1 percent that the average butterfat content of such milk is above 4.0 percent not less than, or may deduct from the uniform price(s) per hundredweight for each one-tenth of 1 percent that the average butterfat content of such milk is below 4.0 percent not more than, an amount computed as follows: Multiply by 1.2 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10, and then adjust to the nearest one-tenth of a cent.

§ 978.83 *Adjustment of accounts.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors, resulting in money due the market administrator from such handler, or due such handler from the market administrator, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred.

§ 978.84 *Statement to producers.* In making payments required by § 978.81

the market administrator shall furnish each producer or cooperative association with a supporting statement in such form that it may be retained by the producer or cooperative association which shall show:

(a) The delivery period and the identity of the handler and of the producer;

(b) The total pounds and the average butterfat content of milk delivered by the producer including for the months of March through August, the pounds of base milk and excess milk;

(c) The minimum rate or rates at which payment to the producer or cooperative association is required under the provisions of §§ 978.81 and 978.82;

(d) The amount or the rate per hundredweight of each deduction claimed by the handler including any deduction made pursuant to § 978.86 together with a description of the respective deductions; and

(e) The net amount of payment to the producer or cooperative association.

§ 978.85 *Expense of administration.* As his pro rata share of the expense of the administration of this subpart, each handler shall pay to the market administrator, on or before the 15th day after the end of each delivery period, 4 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to receipts, during the delivery period, of (a) milk from producers (including such handler's own production), and (b) other source milk allocated to Class I milk pursuant to § 978.45. Each cooperative association which is a handler shall pay such pro rata expense on only that milk of producers caused to be diverted by it pursuant to § 978.11 (b).

§ 978.86 *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, in making payments to producers pursuant to § 978.81, the market administrator shall deduct an amount not exceeding 6 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to milk received by handler(s) from producers during the delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative associations.* In the case of producers for whom a cooperative association is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, the market administrator shall make in lieu of the deductions specified in paragraph (a) of this section, such deductions as are authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the association rendering such services.

§ 978.87 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before March 1, 1950, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart, shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligations, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representative.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate 2 years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or 2 years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

APPLICATION OF PROVISIONS

§ 978.90 *Producer-handlers.* Sections 978.40 through 978.45, 978.50 through 978.52, 978.60 through 978.62, 978.70 through 978.73, and 978.80 through 978.86 shall not apply to a producer-handler.

§ 978.91 *Milk subject to another Federal order.* Milk received at a fluid milk plant which is subject to the pricing and payment provisions of any other Federal milk marketing agreement or order issued pursuant to the act for any fluid milk marketing area shall be considered as other source milk.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 978.100 *Effective time.* The provisions of this subpart or any amendments to this subpart shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 978.101 *Suspension or termination.* The Secretary shall suspend or terminate any or all of the provisions of this subpart, whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This subpart shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 978.102 *Continuing power and duty of the market administrator.* (a) If, upon the suspension or termination of any or all of the provisions of this subpart, there are any obligations arising under this subpart, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator, shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(b) The market administrator, or such other person as the Secretary may designate shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

§ 978.103 *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions of this subpart, the market administrator or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such

suspension or termination. Any funds collected pursuant to the provisions of this subpart, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 978.110 *Separability of provisions.* If any provision of this subpart, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this subpart, to other persons or circumstances shall not be affected thereby.

§ 978.111 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

Issued at Washington, D. C., this 11th day of December 1951, to be effective on and after the 1st day of March 1952.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-14826; Filed, Dec. 13, 1951; 8:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52880]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

REGULATION OF VESSELS EMPLOYED IN FISHING

Section 4.96, Customs Regulations of 1943, is revised so as to describe in greater detail the privileges and limitations upon the use of foreign fishing vessels, particularly in view of the 1950 convention between the United States and Canada (T. D. 52862) which, among other things, grants Canadian fishing vessels engaged only in the North Pacific halibut fishery the right to land their catches of halibut and incidentally-caught sable fish in ports of entry on the Pacific coast of the United States; and in view of the amendment of section 4311 of the Revised Statutes (46 U. S. C. 251) by the act of September 2, 1950 (64 Stat. 577), which, except as otherwise specified by treaty or convention, prohibits a foreign flag vessel from landing in the United States its catch of fish taken on board on the high seas, or fish products processed therefrom, or fish or fish products taken on board on the high seas from another vessel engaged in fishing operations or in the processing of fish or fish products.

Section 4.96, Customs Regulations of 1943 (19 CPR 4.96), as amended, is further amended to read as follows:

§ 4.96 *Fisheries.* (a) As used in this section:

(1) The term "convention vessel" means a Canadian fishing vessel which, at the time of its arrival in the United States, is engaged only in the North Pacific halibut fishery and which is therefore entitled to the privileges provided for by the Halibut Fishing Vessels Convention between the United States and Canada signed at Ottawa on March 24, 1950 (T. D. 52862);

(2) The term "nonconvention fishing vessel" means any vessel other than a convention vessel which is employed in whole or in part in fishing at the time of its arrival in the United States and

(i) Which is documented under the laws of a foreign country,

(ii) Which is undocumented, of 5 net tons or over, and owned in whole or in part by a person other than a citizen of the United States, or

(iii) Which is undocumented, of less than 5 net tons, and owned in whole or in part by a person who is neither a citizen nor a resident of the United States;

(3) The term "nonconvention cargo vessel" means any vessel which is not employed in fishing at the time of its arrival in the United States, but which is engaged in whole or in part in the transportation of fish or fish products [1a] and

(i) Which is documented under the laws of a foreign country or

(ii) Which is undocumented and owned by a person other than a citizen of the United States; and

(4) The term "fishing" means the planting, cultivation, or taking of fish, shell fish, marine animals, pearls, shells, or marine vegetation, or the transportation of any of those marine products to the United States by the taking vessel or another vessel under the complete control and management of a common owner or bareboat charterer.

(b) Except as provided for in paragraph (d), (e), or (g) of this section, no vessel employed in fishing, other than a vessel of the United States or a vessel of less than 5 net tons owned in the United States, shall come into a port or place in the United States.[1b]

(c) A vessel of the United States to be employed in fishing may be enrolled and licensed, or licensed, depending upon its size, or registered. If registered, the vessel must be entitled to be licensed or enrolled and licensed for the fisheries. (See §§ 3.2 and 3.42 of this chapter.)

(d) A convention vessel may come into a port of entry on the Pacific coast of the United States, including Alaska, to land its catch of halibut and incidentally-caught sable fish, or to secure supplies, equipment, or repairs. Such a vessel may come into any other port of entry or, if properly authorized to do so under § 1.2 (b) of this chapter, into any place other than a port of entry, for the purpose of securing supplies, equipment, or repairs only, but shall not land its catch. A convention vessel which comes into the United States as provided for in this paragraph shall comply with the usual requirements applicable to foreign vessels arriving at and departing from the United States.

(e) A nonconvention fishing vessel may come into a port of entry in the United States or, if granted permission under § 1.2 (b) of this chapter, into a place other than a port of entry for the purpose of securing supplies, equipment, or repairs, but shall not land its catch. A nonconvention fishing vessel which comes into the United States as provided for in this paragraph shall comply with the usual requirements applicable to foreign vessels arriving at and departing from ports of the United States.

(f) A nonconvention cargo vessel, although not prohibited by by law from coming into the United States, shall not be permitted to land in the United States its catch of fish taken on the high seas or any fish or fish products taken on board on the high seas from a vessel employed in fishing or in the processing of fish or fish products, but may land fish taken on board at any place other than the high seas upon compliance with the usual requirements. Before any such fish may be landed the master shall satisfy the collector that the fish were not taken on board on the high seas by presenting affidavits of the master and two or more officers or members of the crew of the vessel, of whom the person next in authority to the master shall be one, or other evidence acceptable to the collector which establishes the place of lading to his satisfaction.

(g) A convention vessel, a nonconvention fishing vessel, or a nonconvention cargo vessel which arrives in the United States in distress shall be subject to the usual requirements applicable to foreign vessels arriving in distress. While in the United States, supplies, equipment, or repairs may be secured, but, except as specified in the next sentence, fish shall not be landed unless the vessel's master, or other authorized representative of the owner, shows to the satisfaction of the collector that it will not be possible, by the exercise of due diligence, for the vessel to transport its catch to a foreign port without spoilage, in which event the collector may allow the vessel, upon compliance with all applicable requirements, to land, transship, or otherwise dispose of its catch. Nothing herein shall prevent a convention vessel arriving in distress from landing its catch of halibut and incidentally-caught sable fish at a port of entry on the Pacific coast, including Alaska, upon compliance with normal customs procedures, nor prevent a foreign cargo vessel arriving in distress from landing, upon compliance with normal customs procedures, its cargo of fish

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[1a] "* * * Except as otherwise provided by treaty or convention to which the United States is a party, no foreign-flag vessel shall, whether documented as a cargo vessel or otherwise, land in a port of the United States its catch of fish taken on board such vessels on the high seas or fish products processed therefrom, or any fish or fish products taken on board such vessel on the high seas from a vessel engaged in fishing operations or in the processing of fish or fish products." (46 U. S. C. 251.)

[1b] "Vessels of twenty tons and upward, enrolled in pursuance of sections 251-255, 258, 259, 262-280, 293, 306-316, 318, 321-330 and 333-335 of this title, and having a license in force, or vessels of less than twenty tons, which, although not enrolled, have a license in force, as required by such sections, and no others, shall be deemed vessels of the United States entitled to the privileges of vessels employed in the coasting trade or fisheries. * * *" (46 U. S. C. 251)

taken on board at any place not on the high seas.

(h) A registered vessel may be cleared for a whaling voyage [21c] under the same terms and conditions as though it were enrolled and licensed for the whale fishery.

(R. S. 161, sec. 2, 23 Stat. 118, R. S. 4132, as amended, R. S. 4311, as amended, R. S. 4339; 5 U. S. C. 22, 46 U. S. C. 2, 11, 251, 280)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: December 7, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-14854; Filed, Dec. 13, 1951; 8:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter D—Employment Taxes

[Regs. 128]

PART 408—EMPLOYEE TAX AND EMPLOYER TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT; APPLICABLE ON AND AFTER JANUARY 1, 1951

Correction

In F. R. Document 51-14685 which appeared in the issue for Wednesday, December 12, 1951, at page 12453, the bracket in the heading should read "[Regs. 128]", as set forth above, instead of "[Regs. 127]".

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5874]

PART 471—ACCEPTANCE OF TREASURY NOTES IN PAYMENT OF INCOME, ESTATE, AND GIFT TAXES

ACCEPTANCE OF TREASURY NOTES OF TAX SERIES A-1943, B-1943, A-1944, B-1944, A-1945, TREASURY NOTES OF TAX SERIES C, AND TREASURY SAVINGS NOTES, SERIES A, SERIES C, AND SERIES D, IN PAYMENT OF INCOME (INCLUDING EXCESS PROFITS), ESTATE, AND GIFT TAXES

§ 471.1 *Acceptance of Treasury Notes of Tax Series A-1943, B-1943, A-1944, B-1944, A-1945, Treasury Notes of Tax Series C, and Treasury Savings Notes, Series A, Series C, and Series D, in payment of income (including excess profits), estate and gift taxes.* (a) Notes of the United States designated as Treasury Notes of Tax Series A-1943, B-1943, A-1944, B-1944, A-1945, Treasury Notes of Tax Series C, and Treasury Savings Notes, Series A, Series C, and Series D, may be accepted in payment of income taxes (current and back personal and corporation taxes, and excess profits taxes) and estate and gift taxes (current and back), at par and interest accrued, except in the case of Treasury Savings Notes, Series A, to the month, inclusive, in which presented (but no accrual beyond the maturity date). In the case of Treasury Savings Notes, Series A, interest will be accrued to the day when the taxes are due, if such day falls on the 15th day of a calendar month, whether the notes are received on or before that day; if the taxes are due on any other day of the month than the 15th, accrued interest will be credited to the accrual date next preceding the day when the taxes are due. Collectors of internal revenue are authorized and directed to accept such notes, except in the case of Treasury Savings Notes, Series A, during and after the second calendar month after the month of purchase (as shown by the issuing agent's dating stamp on each note). In the case of Treasury Savings Notes, Series A, collectors of internal revenue are authorized and directed to accept the notes at any time after two months from the issue date. For example, a note of Tax Series A-1945 purchased in September 1942 may be accepted in November 1942 but such a note purchased in October 1942 may not be accepted until December 1942. A note of Treasury Savings Notes, Series A, dated January 15, 1952 may be presented for credit against taxes due March 15, 1952, but a note dated February 15, 1952 may not be accepted for credit against taxes due prior to April 15, 1952.

(b) Such notes may be accepted only in payment of income (including excess profits), estate, and gift taxes (current and back) due from the original purchaser thereof or his estate. Such notes shall be in the name of the taxpayer (individual, corporation, or other entity) and may be presented for tax payment by only the taxpayer, his agent, or his estate. There is no limit upon the amount of such notes which may be accepted in payment of income (including excess profits), estate, or gift taxes.

Such notes, inscribed in the name of a taxpayer, may be accepted in payment of income tax withheld at the source by such taxpayer, and such notes inscribed in the name of a taxpayer may be accepted in payment of transferee liability assessed against such taxpayer for income (including excess profits), estate, or gift taxes.

(c) Collectors of internal revenue shall not in any case allow credit to a taxpayer on account of such notes, or accept such notes, for an amount greater than their principal amount plus accrued interest, nor shall such notes be accepted in an amount (including accrued interest) greater than the unpaid liability of the taxpayer. Such notes shall be forwarded to the collector of internal revenue with whom the tax return is filed, at the risk and expense of the taxpayer, and, for the taxpayer's protection, should be forwarded by registered mail, if not presented in person.

§ 471.2 *Procedure with respect to Treasury Notes of Tax Series A-1943, B-1943, A-1944, B-1944, A-1945, Treasury Notes of Tax Series C, and Treasury Savings Notes, Series A, Series C, and Series D.* Deposits of Treasury Notes of Tax Series A-1943, B-1943, A-1944, B-1944, A-1945, Treasury Notes of Tax Series C, and Treasury Savings Notes, Series A, Series C, and Series D, received in payment of taxes shall be made by the collector of internal revenue in a Federal reserve bank or a branch Federal reserve bank. Prior to deposit the collector of internal revenue will certify on the reverse side of the notes that they were received in payment of income (including excess profits), estate, or gift tax, as the case may be, and will show in the endorsement stamp the date of deposit.

§ 471.3 *Prior Treasury decision superseded.* Treasury Decision 5686, approved January 31, 1949 (26 CFR, 1950 Supp., Part 471) is hereby superseded.

Because this Treasury decision merely revises existing regulations governing the acceptance of Treasury Notes and Treasury Savings Notes in payment of income (including excess profits), estate, and gift taxes so as to make such regulations applicable also to Treasury Savings Notes, Series A, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(53 Stat. 447, 467; 26 U. S. C. 3657, 3791)

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: December 11, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51-14856; Filed, Dec. 13, 1951; 8:50 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 425]

PART 825—RENT REGULATION UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

EXTENSION OF TIME FOR FILING PETITION AND COMPLYING WITH POSTING REQUIREMENTS

Amendment 425 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulation is amended in the following respects:

1. The last unnumbered paragraph of § 825.85 entitled *Effective date of rent increase* is amended by changing the figure "30" which appears therein to the figure "45".

The purpose of this change is to afford the landlord 45 days instead of 30 days after the effective date within which to file the petition for adjustment described in said section.

[21c] "All vessels which may clear with registers for the purpose of engaging in the whale fishery shall be deemed to have lawful and sufficient papers for such voyages, securing the privileges and rights of registered vessels, and the privileges and exemptions of vessels enrolled and licensed for the fisheries." (46 U. S. C. 280.)

2. The second sentence of § 825.87(b) is amended by changing the figure "30" which appears therein to the figure "45".

The purpose of this change is to afford the landlord 45 days instead of 30 days after the effective date to comply with the posting requirements.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 14, 1951.

Issued this 11th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-14850; Filed, Dec. 13, 1951; 8:49 a. m.]

[Controlled Housing Rent Reg., Amdt. 430]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 426]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

MISSISSIPPI

Amendment 430 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 426 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respect:

In Schedule A, Item 162 is amended to read as follows:

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Mississippi				
(162) Biloxi-Pascagoula	B	In Harrison County, the city of Biloxi	Apr. 1, 1941	July 1, 1942
	C	do	Sept. 1, 1950	Dec. 14, 1951
	A	Harrison County, except the city of Biloxi; and Jackson County.	do	Do.

These amendments are issued as a result of a joint certification pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

These amendments shall be effective December 14, 1951.

Issued this 11th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-14853; Filed, Dec. 13, 1951; 8:49 a. m.]

[Controlled Housing Rent Reg., Amdt. 432]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 427]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

ARIZONA AND KANSAS

Amendment 432 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 427 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respect:

In Schedule A, new items 16 and 123 are added as follows:

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
Arizona				
(16) Tucson	A	In Pima County, districts 1 and 2	Sept. 1, 1951	Dec. 17, 1951
Kansas				
(123) Wichita	A	Sedgwick	Mar. 1, 1951	Dec. 14, 1951

These amendments are issued as a result of (1) joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, (2) a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act, and (3) with respect to the City of Wichita, Kansas, where local rent control has been in effect, a determination which is hereby made under section 204 (n) of said act that the rent component of the Consumers' Index of the Bureau of Labor Statistics for said City has increased more than the United States average of the rent component of such index during the last six months for which such index was available immediately preceeding the establishment of Federal maximum rents under these amendments for housing accommodations in said City.

(Sec. 204. 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

These amendments shall be effective December 14, 1951.

Issued this 12th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-14910; Filed, Dec. 13, 1951; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Regulations Under the 1951 Act

PART 1476—PERMISSIVE EXEMPTIONS

SUBPART B—EXEMPTION OF FOREIGN PURCHASES NOT EXCEEDING $10,000 IN AGGREGATE AMOUNT

Sec.
1476.3 Exemption.
1476.4 Application of exemption.

AUTHORITY: §§ 1476.3 and 1476.4 issued under sec. 109, Pub. Law 9, 82d Cong. Interpret or apply sec. 106, Pub. Law 9, 82d Cong.

§ 1476.3 *Exemption.* Pursuant to the authority conferred upon The Renegotiation Board by sections 106 (d) (1) and 109 of the Renegotiation Act of 1951, the Board hereby exempts from the provisions of the act all contracts and subcontracts under which the aggregate amount involved does not exceed $10,000, whenever (a) performance and delivery are to be effected outside the United States, its territories and possessions, and (b) the contractor or subcontractor is a foreign corporation or a foreign national, or is a partnership or joint venture, all the members of which are foreign corporations or nationals.

§ 1476.4 *Application of exemption.* Contracts or subcontracts (including purchase orders) calling for payment of $10,000 or less may be made under this exemption and the renegotiation article shall not be required in any contract or subcontract subject to this exemption. In arriving at "the aggregate amount involved", there must be included all supplies and services which would properly be grouped together in a single transaction and which would be included in a single advertisement for bids if the procurement were being effected by formal advertisement. Purchases or contracts aggregating more than $10,000 shall not be broken down into several purchases or contracts which are less than $10,000 nor shall customary purchasing or contracting procedures be altered merely for the purpose of avoiding renegotiation under this exemption.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

DECEMBER 12, 1951.

[F. R. Doc. 51-14908; Filed, Dec. 13, 1951; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 36]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

ADJUSTMENTS OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.),

Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 36 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment deletes section 43 of Ceiling Price Regulation 22. This section authorizes upward adjustments of ceiling prices in cases where sales at those ceilings result in an over-all loss in manufacturing operations. The relief accorded by section 43 may now be obtained under General Overriding Regulation 10. The latter regulation is mostly duplicative of section 43, and in some respects is more liberal in authorizing adjustments. Therefore, this deletion of section 43 does not in any way restrict the right of a manufacturer to secure an adjustment of ceiling prices to compensate for a loss condition.

Ceiling Price Regulation 30, section 41, which serves for that regulation the purpose which section 43 serves for Ceiling Price Regulation 22, is deleted by a companion amendment.

In view of the nature of this amendment, the Director has found it neither practicable nor necessary to consult formally with industry representatives.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22 is amended as follows:

1. Section 43 is deleted.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 36 to Ceiling Price Regulation 22 is effective December 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 13, 1951.

[F. R. Doc. 51-14932; Filed, Dec. 13, 1951; 4:00 p. m.]

[Ceiling Price Regulation 30, Amdt. 25]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

ADJUSTMENTS OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 25 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment deletes section 41 of Ceiling Price Regulation 30. This section authorizes upward adjustments of ceiling prices in cases where sales at those ceilings result in an over-all loss in manufacturing operations. The relief accorded by section 41 may now be obtained under General Overriding Regulation 10. The latter regulation is mostly duplicative of section 41, and in some respects is more liberal in authorizing adjustments. Therefore, this deletion of section 41 does not in any way restrict the right of a manufacturer to secure an adjustment of ceiling prices to compensate for a loss condition.

Ceiling Price Regulation 22, section 43, which serves for that regulation the purpose which section 41 serves for Ceiling Price Regulation 30, is deleted by a companion amendment.

In view of the nature of this amendment, the Director has found it neither practicable nor necessary to consult formally with industry representatives.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended as follows:

1. Section 41 is deleted.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 25 to Ceiling Price Regulation 30 is effective December 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 13, 1951.

[F. R. Doc. 51-14931; Filed, Dec. 13, 1951; 4:00 p. m.]

[Ceiling Price Regulation 30, Amdt. 1 to Supplementary Regulation 3]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 3—OPTIONAL POSTPONEMENT OF EFFECTIVE DATE FOR MANUFACTURERS OF CERTAIN COMMODITIES

OPTIONAL POSTPONEMENT FOR ADDITIONAL COMMODITIES

Pursuant to the Defense Production Act of 1950, as amended, (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 30, Supplementary Regulation 3 is hereby issued.

STATEMENTS OF CONSIDERATIONS

This amendment to Supplementary Regulation 3 of Ceiling Price Regulation 30 extends at the option of the manufacturer the effective date of CPR 30 for certain additional commodities. As originally issued, SR 3 extended for manufacturers of insulated electrical wire and cable and fabricated custom-engineered structural shapes, plates and related products, at their option, the effective date of CPR 30. This amendment extends the same option to manufacturers of forgings, rigid and EMT conduit, fabricated trackwork, fabricated standard line structural shapes, plates and related products, mechanical springs, metal stampings, screw machine products, certain pneumatic compressors, tools, dies, jigs, and fixtures, foundry molds and patterns, and industrial trucks. This amendment also clarifies the meaning of the term "fabricated structural steel shapes, plates and bars" as used in SR 3.

"Fabricated standard line structural shapes, plates and related products" covers a group of industries whose products are used almost entirely in conjunction with building and construction work, or in the further manufacture of end-use products. Commonly these products are not sold for or used as end-use products by themselves. They differ from end-use fabricated metal products and similar consumer durable products in that they consist of few component parts, have comparatively little fabrication performed upon them, and the primary expense of production is the cost of metal rather than the direct labor involved.

Typical products covered are: steel joists and studding, open and solid web-metal doors and bucks, (except tin clad)—corrugated pipe and culverts—irrigation piping—open steel flooring—metal partitions—metal roof deck and siding (exclusive of mill products)—sash and frames—metal concrete forms—post and poles—demountable scaffolding—and pressed or spun heads.

Typical products not covered are: consumer durable goods such as filing cabinets, metal furniture and shelving—stampings—automotive and aircraft parts—miscellaneous building products such as mechanical equipment, rain goods and builders hardware.

In general, the reasons stated in the Statement of Considerations to the Supplementary Regulation apply as well to this amendment. The Office of Price Stabilization has under consideration, and is in the process of preparing, regulations specially designed for the commodities affected by this action. As presently contemplated, these regulations will include pricing techniques which differ from those set forth in CPR 30 and which are more specifically adapted to the practices of the industries involved. When CPR 30 becomes effective manufacturers will be required to compute their ceiling prices twice within a relatively short period of time unless they are relieved of the necessity of complying with that regulation. In order to avoid this burden upon industry, it has been determined to extend as to the products listed the effective date of CPR 30 for a sufficient period to allow the specific regulations to be issued. Manufacturers affected by this amendment need not, if they so elect, make the provisions of CPR 30 effective as to them, but may determine their ceiling prices under the GCPR.

It appears that some manufacturers have misinterpreted the coverage of the item in SR 3 "Fabricated structural steel shapes, plates, and bars" to include any commodities manufactured of structural steel (as, for instance, truck chassis and conveying machinery). This amendment also clarifies the intention of SR 3 to cover only what is commonly known as structural steel fabrication.

Formal consultation with representatives of industry has not been had, but conference has been had with industry representatives and consideration was given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 30 is amended as follows:

1. Section 1 (b) is amended to add the following new numbered paragraphs:

(3) Trackwork, fabricated, (including but not limited to frogs, switches and crossovers).

(4) Forgings (all ferrous and non-ferrous metal products commonly known as "forgings" which are formed by the use of power-actuated hammers, presses or forging machines, including "forgings" upon which supplementary operations, such as trimming, coining, testing, inspecting, heat treating, welding, machining, plating, or other surface coating have been performed).

(5) Rigid and ENT conduit.

(6) Fabricated standard line structural metal shapes, plates and related products (excluding tanks, stampings and sheet metal shop products) used in conjunction with construction work or in the manufacture of end-use products. This term includes products which are (i) fabricated from ferrous or non-ferrous structural shapes, plates, sheets, bars, strip and/or tubing, (ii) made to fabricators' specifications, (iii) sold from established price lists and (iv) made with specialized machinery on a production-line basis. This term does not include any products (other than fabricated standard line structural metal shapes, plates and related products) listed in Appendix A of CPR 30.

(7) Mechanical springs, not including furniture and bed springs.

(8) Metal stampings. This term includes stamped or pressed metal products which are mechanically processed by the use of dies and upon which further finishing operations may or may not have been performed when sold unassembled. A metal stamping may consist of two or more stamped pieces which have been permanently joined by methods such as brazing, riveting, soldering or welding. The term does not include non-ferrous mill products, wire goods, steel mill products, or any product for which a catalog or price list is issued.

(9) Screw machine products. This term includes any product that is made complete or in its first operation on a hand or automatic screw machine. The term does not include products for which a price list or catalog is issued.

(10) Pneumatic compressors with motor power not in excess of 15 horsepower capacity. This term does not include compressors used with condensing units.

(11) Tools, dies, jigs and fixtures. This term does not include hand tools, carpenters' tools or machinists' tools, neither does it include any other tools which are not manufactured by producers of dies, jigs and fixtures.

(12) Foundry molds and patterns.

(13) Industrial trucks, both hand and power operated, including standard accessories. This term includes lift trucks, platform trucks, straddle trucks, skids, stackers, industrial tractors, and industrial trailers.

2. Section 1 (b) (2) is amended to read as follows:

(2) Fabricated structural metal shapes, plates, and related products. This term includes products which are (i) fabricated from ferrous or nonferrous structural shapes, plates, bars, sheet, pipe mill products, and/or tubing; (ii) custom engineered; and (iii) custom fabricated to the buyers' specifications. The term does not include any products which are standardized and manufactured on a production line basis. Nor does it include any commodities (other than fabricated structural metal shapes, plates and related products) listed in Appendix A of CPR 30.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 3 to Ceiling Price Regulation 30 shall become effective December 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 13, 1951.

[F. R. Doc. 51-14929; Filed, Dec. 13, 1951; 11:56 a. m.]

[General Overriding Regulation 10, Amdt. 3]

GOR 10—ADJUSTMENT OF CEILING PRICES FOR MANUFACTURERS

SUBMISSION OF ADDITIONAL INFORMATION; REGISTRY OF APPLICATIONS; NOTIFICATION REQUIREMENTS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to General Overriding Regulation 10 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 10 requires a manufacturer applying for relief under that regulation to submit a detailed breakdown of sales of all his products for specified periods, if the adjusted ceiling prices he proposes do not represent a uniform percentage increase over his existing ceiling prices.

Heretofore, the Office of Price Stabilization has found it necessary to write for this information to manufacturers submitting such applications. The resulting delay in processing these applications will be avoided by this amendment.

The amendment also introduces the requirement that applications for adjustments of ceiling prices be sent by registered mail.

The amendment further provides that in cases where the Office of Price Stabilization requests the furnishing of additional information, the manufacturer shall send such additional information by registered mail, and may not put his proposed adjusted ceiling prices into effect until thirty days after receipt of that information by the Office of Price Stabilization. Thereafter he may sell at his proposed adjusted prices until the Office of Price Stabilization notifies him that these prices have been disapproved.

The registry requirement is common to other regulations, and is necessary in view of the confidential nature of the information disclosed in the application for adjustment, and also to provide proof of filing.

The need for a waiting period in the case of a request for additional information is manifest, and is elsewhere required in comparable cases.

Lastly, this amendment authorizes OPS to require the manufacturer to notify his resellers of adjustments in the manufacturer's ceiling prices granted under section 4 of this regulation. Also, where OPS adjusts a reseller's ceiling prices under section 5, the amendment authorizes OPS to require the manufacturer, and, where appropriate, the reseller himself, to notify any interested reseller of the adjustments made by the order in the reseller's ceiling prices.

The notification provisions of this amendment are designed to insure that interested resellers receive actual knowledge of an adjustment in ceiling prices granted to a manufacturer, in order to protect those resellers against unauthorized price advances, and to apprise them of information which may warrant a corresponding adjustment in their ceiling prices. In the case of adjustments of a reseller's ceiling prices under section 5, the notification provisions of this amendment may prove to be the only way of assuring that the reseller will receive actual notice of adjustments in his ceiling prices, and that interested purchasers from that reseller will likewise receive actual notice.

Although it is considered that OPS has authority to require notification without these express provisions, their inclusion in GOR 10 underscores the existence of this authority and acquaints manufacturers with the possibility that OPS may require notification in some cases.

In view of the nature of the changes made by this amendment, the Director has not found it practicable or necessary to consult formally with industry representatives.

AMENDATORY PROVISIONS

General Overriding Regulation 10, as amended, is further amended as follows:

1. The introductory statement of section 3 is amended by substituting the words "send an application, by registered mail, to" for the words "file an application with", so as to read as follows:

A manufacturer seeking an adjustment under this regulation shall send an application, by registered mail, to the Office of Price Stabilization, Washington 25, D. C., and including the following:

2. Section 3 is further amended by adding the following paragraph:

(h) If his proposed adjusted ceiling prices do not represent a uniform percentage increase over his existing ceiling prices for all his commodities, he shall submit a detailed dollar-volume breakdown of his net sales for each commodity subject to ceiling price regulation for the most recent period of operations selected under paragraph (c). If his application is based on a projection of his operations beyond his most recent period of actual operations, he shall also supply an estimated dollar-volume breakdown of net sales by commodity for such extended period.

3. Section 4 is amended by inserting, between the first and second sentences thereof, the following two sentences: "If the Office of Price Stabilization requests further information, the manufacturer shall send such additional information by registered mail, and may not sell at his proposed adjusted ceiling prices until thirty days after acknowledgment of receipt by the Office of Price Stabilization of such additional information. Thereafter he may sell at his proposed adjusted ceiling prices until such time as the Office of Price Stabilization notifies him that such prices have been disapproved."

4. Section 4 is further amended by adding the following paragraph:

Where OPS grants an adjustment of ceiling prices under this section, it may require the manufacturer to notify his purchasers of the adjusted ceiling prices.

5. Section 5 is amended by redesignating the text of the present section as paragraph (a), and by adding the following paragraph:

(b) Where OPS adjusts a reseller's ceiling price, it may require the manufacturer, or the reseller, or both, to notify interested resellers of the adjusted ceiling prices.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Effective date. This Amendment 3 to General Overriding Regulation 10 is effective December 18, 1951.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 13, 1951.

[F. R. Doc. 51-14933; Filed, Dec. 13, 1951; 4:00 p. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 3, Amdt. 4]

RR 3—HOTEL REGULATION

EXTENSION OF TIME FOR FILING PETITION AND COMPLYING WITH POSTING REQUIREMENTS

Amendment 4 to Rent Regulation 3—Hotel Regulation. Said regulation is amended in the following respects:

1. Section 62 is amended by changing the figure "30" which appears therein to the figure "45".

The purpose of this change is to afford the landlord 45 days instead of 30 days after the effective date within which to file the petition for adjustment described in said section.

2. Section 114 is amended by changing the figure "30" which appears in the first sentence thereof to the figure "45."

The purpose of this change is to afford the landlord 45 days instead of 30 days after the effective date to comply with the posting requirements.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 14, 1951.

Issued this 11th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-14851; Filed, Dec. 13, 1951; 8:49 a. m.]

[Rent Regulation 3, Amdt. 17 to Schedule A]

RR 3—HOTEL REGULATION

SCHEDULE A—DEFENSE RENTAL AREA

MISSISSIPPI

Amendment 17 to Schedule A of Rent Regulation 3—Hotel Regulation. Said regulation is amended in the following respect:

New item 162 is hereby added to Schedule A as follows:

Name of defense-rental area	State	County or counties in defense-rental areas under Rent Regulation 3	Maximum rent date	Effective date of regulation
(162) Biloxi-Pascagoula	Mississippi	Harrison and Jackson	Sept. 1, 1950	Dec. 14, 1951

This amendment is issued as a result of a joint certification pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 14, 1951.

Issued this 11th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-14852; Filed, Dec. 13, 1951; 8:49 a. m.]

[Rent Regulation 3, Amdt. 18 to Schedule A]

RR 3—HOTEL REGULATION

SCHEDULE A—DEFENSE-RENTAL AREA

ARIZONA AND KANSAS

Amendment 18 to Schedule A of Rent Regulation 3—Hotel Regulation. Said regulation is amended in the following respect:

New items 16 and 123 are hereby added to Schedule A as follows:

Name of defense-rental area	State	County or counties in defense-rental areas under Rent Regulation 3	Maximum rent date	Effective date of regulation
(16) Tucson	Arizona	In Pima County, districts 1 and 2	Sept. 1, 1951	Dec. 17, 1951
(123) Wichita	Kansas	Sedgwick	Mar. 1, 1951	Dec. 14, 1951

This amendment is issued as a result of (1) joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, (2) a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act, and (3) with respect to the City of Wichita, Kansas where local rent control has been in effect, a determination which is hereby made under section 204 (n) of said act that the rent component of the Consumers' Index of the Bureau of Labor Statistics for said City has increased more than the United States average of the rent component of such index during the last six months for which such index was available immediately preceding the establishment of Federal maximum rents under this amendment for housing accommodations in said City.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 14, 1951.

Issued this 12th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-14911; Filed Dec. 13, 1951; 8:48 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

[Modification of Reg. G–7]

PART 231—GRAZING

COOPERATION WITH STOCKMEN

By virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35, 16 U. S. C. 551), as amended by the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), and the act of April 24, 1950 (Public Law 478, 81st Cong., 2d Sess., 64 Stat. 85, 16 U. S. C. 580h), Regulation G–7 of the regulations governing the occupancy, use, protection, and administration of the national forests, which constitutes § 231.7, Chapter II, Title 36, Code of Federal Regulations, is hereby amended and supplemented to read as follows:

§ 231.7 *Cooperation with stockmen.* (a) In order to obtain a collective expression of the views and recommendations of national-forest grazing permittees concerning the management and administration of national-forest lands and to encourage maximum participation by the permittees in actual management of the range where not provided for by § 231.10 (Regulation G–10), or where the majority of the permittees elect to form an advisory board under this section in preference to § 231.10 (Regulation G–10), the Chief of the Forest Service will provide for recognition of and cooperation with various groups of permittees as follows:

(1) Local livestock associations with advisory boards, representing the range users of a national forest or subdivision thereof;

(2) Advisory boards without associations, representing the range users of a national forest or subdivision thereof; and

(3) Advisory boards representing the range users of a group of national forests.

(b) The recognition of permittee livestock associations and advisory boards shall be under the provisions of § 211.1 of this chapter (Regulation A–9).

(c) Boards representing a subdivision of a national forest shall consist of five members. Boards representing an entire national forest or a larger unit shall consist of not less than five members. In addition and where the board represents an entire national forest, the State Game Commission, or the corresponding public body of the State in which the advisory board is located, may appoint a wildlife representative to advise on wildlife problems.

(d) In order to attain full status as a recognized association the members must represent a majority of the grazing permittees on the area represented by the association. The members of a recognized advisory board must be elected by a majority of the voting grazing permittees on the area represented by the board, and must be permittees.

(e) Recognized local associations and advisory boards and forest wide advisory boards will meet upon call of the chairman or upon call of the local forest officer. The local forest officer will obtain and carefully consider the suggestions and recommendations submitted by these boards regarding current grazing programs or proposed policy changes. These advisory boards also will be given the opportunity to review any matters affecting the interests of one or more users of national-forest range, upon request of the individual or individuals affected.

(f) Duly recognized permittee advisory boards may consider grazing complaints and appeals and make recommendations thereon: *Provided*, That in appeal cases the procedure under § 211.2 of this chapter (Regulation A–10) may be followed if preferred by the appellant.

(g) Local livestock associations representing a majority of permittees of a subdivision of a national forest may recommend to the forest supervisor special rules to obtain improved range-management practices upon the subdivision of the national forest represented by the association. Such rules when issued by the forest supervisor and made a part of the permits shall be binding upon all permittees using the range for which the rule was made.

(Sec. 1, 30 Stat. 35, as amended; 16 U. S. C. 551. Interprets or applies sec. 1, 33 Stat. 628, sec. 12, 64 Stat. 85; 16 U. S. C. 472, 580 h)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the city of Washington, D. C., this 10th day of December 1951.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51–14828; Filed, Dec. 13, 1951; 8:46 a. m.]

[Modification of Reg. G–9.]

PART 231—GRAZING

RANGE IMPROVEMENTS

By virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35, 16 U. S. C. 551), as amended by the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), and the act of April 24, 1950 (Public Law 478, 81st Cong., 2d Sess., 64 Stat. 85, 16 U. S. C. 580 h), Regulation G-9 of the regulations governing the occupancy, use, protection, and administration of the national forests, which constitutes § 231.9, Chapter II, Title 36, Code of Federal Regulations, is hereby amended and supplemented to read as follows:

§ 231.9 *Range improvements.* (a) Special-use permits must be obtained or cooperative agreements entered into with the Forest Service in connection with the construction of all range improvements on national-forest land by individuals or agencies other than the Forest Service. In each case, a clause in the permit will clearly state whether title will vest in the Government or be retained by the permittee.

Title to structural improvements (water tanks and troughs, cattle guards, fences, etc.) built under special-use permit may be retained by the permittee. However, where such improvements are constructed under a cooperative arrangement in which the Government bears a part of the costs, title thereto will vest in the United States. The construction of non-structral improvements (driveways, trails, roads, etc.) or performance of range-improvement practices (reseeding, eradication of poisonous plants, etc.) on the national forest by a permittee shall not confer on the permittee the exclusive right to use the improvement or the land on which such practices were carried on.

Grazing fees will not be adjusted to compensate permittees for the construction of range improvements or performance of range-conservation practices.

(b) The Forest Service is authorized to expend funds appropriated pursuant to section 12 of the act of April 24, 1950 (Pub. Law 478), for any and all of the purposes enumerated therein, such authority to be exercised by the Chief thereof and such officers and employees as he may designate.

When the appropriation for any fiscal year pursuant to said section 12 is less than the total amount authorized, the Forest Service will prorate such appropriation to all national forests within the purview of that section. There shall not be allotted to any forest an amount in excess of the amount determined on the basis of animal months as provided in said section, nor in excess of the grazing receipts from said forest for the fiscal year from the receipts of which the funds were appropriated.

(Sec. 1, 30 Stat. 35, as amended; 16 U. S. C. 551. Interprets or applies sec. 1, 33 Stat. 628, sec. 12, 64 Stat. 85; 16 U. S. C. 472, 580 h)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the city of Washington D. C., this 10th day of December, 1951.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51–14827; Filed, Dec. 13, 1951; 8:46 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter VI—National Science Foundation

PART 601—PREDOCTORAL GRADUATE FELLOWSHIPS

Sec.
601.1 General.
601.2 Qualifications.
601.3 Fellowship activities.
601.4 Conditions of appointment.
601.5 Location of work.
601.6 Stipends and allowances.
601.7 Applications.

AUTHORITY: §§ 601.1 to 601.7 issued under sec. 11, 64 Stat. 153; 42 U. S. C. Sup. 1870. Interpret or apply sec. 10, 64 Stat. 152; 42 U. S. C. Sup. 1869.

§ 601.1. *General.* As one means of promoting the progress of science the National Science Foundation is authorized by the National Science Foundation Act of 1950 to award graduate fellowships for scientific study. Selection of

persons for fellowships will be made from among citizens of the United States solely on the basis of ability. Fellowships will be awarded in the mathematical, physical, medical, biological and engineering sciences, including interdisciplinary fields. No awards will be made for study in clinical medicine; this does not preclude consideration of applications from medical students or holders of the M. D. degree who wish to engage in or prepare for careers in scientific research.

§ 601.2 *Qualifications.* National Science Foundation predoctoral graduate fellowships are available to any citizen of the United States who has demonstrated ability and special aptitude for advanced training in the sciences and who will be eligible to begin or continue graduate study during the 1952–1953 academic year. Selection of fellows will be based on scores made on tests of scientific aptitude and achievement, academic records, and recommendations regarding each candidate's abilities. Evaluation of each candidate's qualifications is to be made by the National Research Council; final selection of fellows is to be made by the National Science Board of the National Science Foundation.

§ 601.3 *Fellowship activities.* National Science Foundation fellows will be required to devote full time to advanced scientific study or scientific research for one academic year of two semesters, three quarters or the equivalent. A fellow may not receive remuneration from another fellowship, scholarship, similar award or Federal grant or contract during the tenure of the fellowship. The institution or the department to which a fellow is assigned may give the fellow definite responsibilities or duties (other than normal course work or individual research) only if the National Science Foundation, the fellow's scientific adviser and the fellow agree in advance that these responsibilities and duties are clearly and primarily needed for the fellow's education, training and delevopment; the fellow may not accept remuneration for such services. The results of research carried out by a fellow may be made available to the public through accepted channels without restriction, except as is required in the interest of national security.

§ 601.4 *Conditions of appointment.* (a) In order to be considered for the 1952–53 academic year, applications must be received in the Fellowship Office of the National Research Council by January 7, 1952. Applications must normally be accompanied by complete copies of college transcripts and a plan of study for advanced training. The affidavit and loyalty oath required by section 15 (d) of the National Science Foundation Act (42 U. S. C. Sup. 1874 (d)) will constitute part of the application form and must be completed and returned with the other application materials. Applicants having graduate status must also submit an outline of any research contemplated.

(b) All applicants will be required to apply for and take a fellowship record examination which will be administered at selected centers throughout the United States on January 18, 1952. Applicants will be informed as to the time and place where they can take this examination. The tenure of a fellowship is for one year and can be arranged to begin at any time after July 1, 1952, but must not be later than the beginning of the academic year of the institution of the fellow's choice. After an appointment is made a change in the course of study or institution requires prior approval of the National Science Foundation. Initial appointments to a fellowship will be for one year. Reappointments may be made upon application when warranted by the fellow's progress and accomplishments.

§ 601.5 *Location of work.* A fellow may pursue his fellowship at any accredited non-profit institution of higher education in the United States, or any similar institution abroad approved by the National Science Foundation. A fellow must present evidence that he will be accepted by the institution in which he plans to pursue his fellowship before he will be permitted to enter upon the tenure of the fellowship.

§ 601.6 *Stipends and allowances.* (a) Stipends for these fellowships will vary with the academic status of the applicant:

(1) First year fellows—those who expect to enter upon graduate study for the first time subsequent to June 1952, or those whose graduate training is insufficient to qualify them as second year fellows—will receive a stipend of $1,400.

(2) Second year fellows—those who will have completed by September 1952 an amount of graduate training considered by the institution at which they are in attendance to be a normal year of graduate training—will receive a stipend of $1,600.

(3) Advanced fellows—those who will have completed by September 1952 an amount of graduate training considered by the institution at which they are in attendance to be the equivalent of two normal years of graduate training—will receive a stipend of $1,700.

(b) For second year and advanced fellows an additional allowance of $500 will normally be made to a married fellow plus an allowance of $250 per dependent child. A limited allowance to aid in defraying the fellow's costs of travel will be paid. Tuition and laboratory fees assessed and collected by the university from individuals of similar academic standing will be paid by the National Science Foundation. These fellowships are awarded solely for the education, training and development of the recipients.

§ 601.7 *Applications.* Requests for application forms should be addressed to the Fellowship Office, National Research Council, 2101 Constitution Avenue NW., Washington 25, D. C.

ALAN T. WATERMAN,
Director.

NOVEMBER 14, 1951.

[F. R. Doc. 51-14847; Filed, Dec. 13, 1951; 8:48 a. m.]

PART 602—POSTDOCTORAL FELLOWSHIPS

Sec.
602.1 General.
602.2 Qualifications.
602.3 Fellowship activities.
602.4 Conditions of appointment.
602.5 Location of work.
602.6 Stipends.
602.7 Applications.

AUTHORITY: §§ 602.1 to 602.7 issued under sec. 11, 64 Stat. 153; 42 U. S. C. Sup. 1870. Interpret or apply sec. 10, 64 Stat. 152; 42 U. S. C. Sup. 1869.

§ 602.1 *General.* As one means of promoting the progress of science the National Science Foundation is authorized by the National Science Foundation Act of 1950 to award graduate fellowships for scientific study. Selection of persons for fellowships will be made from among citizens of the United States solely on the basis of ability. Fellowships will be awarded in the mathematical, physical, medical, biological, and engineering sciences, including interdisciplinary fields. No awards will be made for study in clinical medicine; this does not preclude consideration of applications from holders of the M. D. degree who wish to engage in or prepare for careers in scientific research.

§ 602.2 *Qualifications.* National Science Foundation postdoctoral fellowships are available to any citizen of the United States who has demonstrated ability and special aptitude for advanced training in the sciences and who can produce evidence of training in a field of science equivalent to the training represented by the Doctor of Philosophy or Doctor of Medicine degrees. Evaluation of each candidate's qualifications is to be made by the National Research Council. Final selection of fellows is to be made by the National Science Board of the National Science Foundation.

§ 602.3 *Fellowship activities.* National Science Foundation fellows will be expected to devote full time to advanced scientific study and scientific research for one year. A fellow may not receive remuneration from another fellowship, scholarship, similar award, or Federal grant or contract during the tenure of the fellowship. The institution or the department to which a fellow is assigned may give the fellow definite responsibilities or duties (in addition to his normal course work or individual research) if the National Science Foundation and the fellow agree in advance that these responsibilities and duties are clearly and primarily needed for the fellow's education, training and development; a fellow may not accept remuneration for such services. The results of research carried out by a fellow may be made available to the public through accepted channels without restriction, except as is required in the interest of national security.

§ 602.4 *Conditions of appointment.* (a) In order to be considered for the 1952–53 academic year, applications must be received in the Fellowship Office of the National Research Council by January 7, 1952. Applications must nor-

mally be accompanied by complete copies of college transcripts and other supplementary information as required in the application form. The affidavit and loyalty oath required by section 15 (d) of the National Science Foundation Act (42 U. S. C. Sup. 1874 (d)) will constitute part of the application form and must be completed and returned with the other application materials.

(b) Each applicant must specify an institution in which he proposes to continue training. An applicant may be requested to appear before a fellowship board for a personal interview. In such cases, travel expenses will be paid. The tenure of the fellowship will be for one year and can be arranged to begin at any time after July 1, 1952, but must normally begin not later than the beginning of the academic year of the institution chosen by the fellow. A fellowship appointment is subject to the condition that neither the problem of research and study nor the institution or department in which the fellowship is pursued shall be changed without the prior approval of the National Science Foundation.

(c) Initial appointments will normally be for one year. Reappointment may be made upon application if warranted by the progress and accomplishments of the fellow.

§ 602.5 *Location of work.* A fellow may pursue his fellowship at any accredited non-profit institution of higher education in the United States, or at any similar institution abroad approved by the National Science Foundation. A fellow must present evidence that he will be accepted by the institution in which he plans to pursue his fellowship before he will be permitted to enter upon the tenure of the fellowship.

§ 602.6 *Stipends.* The basic stipend for National Science Foundation postdoctoral fellows will be $3,000 per year. Married fellows will normally receive an additional $600 plus an allowance of $300 for each dependent child. A limited allowance to aid in defraying the fellow's costs of travel will be paid. Tuition and laboratory fees assessed and collected by the university from individuals of similar academic standing will be paid by the National Science Foundation. These fellowships are awarded solely for the education, training and development of the recipients.

§ 602.7 *Applications.* Request for application forms should be addressed to the Fellowship Office, National Research Council, 2101 Constitution Avenue NW., Washington 25, D. C.

ALAN T. WATERMAN,
Director.

NOVEMBER 14, 1951.

[F. R. Doc. 51-14848; Filed, Dec. 13, 1951; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52882]

CHESAPEAKE AND OHIO RAILWAY CO.

REGISTRATION OF FUNNEL MARKS

DECEMBER 11, 1951.

The Commissioner of Customs, by virtue of the authority vested in him by law and in accordance with § 3.81 (a), Customs Regulations of 1943 (19 CFR 3.81 (a)), has registered two funnel marks in the name of the Chesapeake and Ohio Railway Company as described below:

(a) The first funnel mark is to appear and be used on vessels having two funnels, one on the port and the other on the starboard side of the vessel. Each funnel is surrounded by a funnel casing and both the funnel and its casing are painted a dark blue. The funnel itself is 5 feet in diameter on a line running parallel with the beam of the vessel and 9 feet 3 inches in diameter on a line running along the keel; the funnel casing is of a diameter of 5 feet on the beam and 26 feet along the keel; the funnel is of an overall height of 40 feet; and the funnel casing is of an overall height of 18 feet. Centered in a fore-and-aft direction on the outboard side of the funnel casing is a Federal yellow disk 8 feet in diameter, the top of which is placed 23 feet 4 inches from the top of the funnel. Superimposed on the yellow disk, in dark blue, are the letters "C" and "O", each of which is 3 feet in height. The letter "C" is placed in the upper left portion of the circle, connecting with and overlapping in part the letter "O", which is placed in the lower right portion of the circle. Centered vertically on the letter "C" and to the right of it, also in dark blue, is the word "and" in letters 6 inches in height.

(b) The second funnel mark is similar to the first except for size and for the fact that it will be used only on vessels having four stacks, two in tandem on the port side of the vessel and two on the starboard side, also in tandem, each pair of stacks on either side being surrounded by a funnel casing. Each of the funnels in this case is 2 feet by 5 feet in diameter and each funnel casing is 3 feet by 16 feet in diameter. The height of the funnel is 30 feet overall and the height of the funnel casing is 18 feet. The size, lettering, and coloring of the disk is the same as in the case of the mark registered first above, and it is similarly placed on the funnel casing except that the top of the disk in this case is 13 feet 4 inches from the top of the funnel.

Colored scale replica drawings of the funnel marks described above are on file with the Federal Register Division.

The registration of certain funnel marks in the name of the Chesapeake and Ohio Railway Company under date of March 1, 1950 (T. D. 52422; 15 F. R. 1223), is not affected by the above-noted registration.

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 51-14855; Filed, Dec. 13, 1951; 8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

1952 CROP OF HAWAIIAN SUGARCANE; FAIR AND REASONABLE PRICES AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN PRODUCTION, CULTIVATION OR HARVESTING

NOTICE OF HEARINGS AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsections (c) (1) and (c) (2) of section 301 of the Sugar Act of 1948 (61 Stat. 929; 7 U. S. C. Sup. 1131), notice is hereby given that public hearings will be held as follows:

At Honolulu, on the Island of Oahu, in the U. S. District Court Room, on January 23, 1952, at 9:00 a. m.; and

At Hilo, on the Island of Hawaii, in the Circuit Court Room, on January 25, 1952, at 9:00 a. m.

The purpose of such hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of section 301 (c) (1) of said act, fair and reasonable wage rates for persons employed in the production, cultivation or harvesting of sugarcane in Hawaii, and (2), pursuant to the provisions of section 301 (c) (2) of said act, fair and reasonable prices for the 1952 crop of Hawaiian sugarcane to be paid, under either purchase or toll agreements by processors who, as producers, apply for payments under the said act.

Such hearings, after being called to order at the time and places mentioned herein, may be continued from day to day within the discretion of the presiding officers, and may be adjourned to a later day or to a different place without notice other that the announcement thereof at the hearing by the presiding officers.

The hearings which had previously been scheduled for Honolulu on October 16, 1951 and at Hilo on October 22, 1951, were postponed in order to give interested parties additional time to prepare their views and arguments.

In the interest of obtaining the best possible information, all interested persons are requested to appear at the hearings to express their views and present appropriate data in regard to the foregoing matters.

Ward S. Stevenson, Phillip E. Jones, and Will N. King are hereby designated as presiding officers to conduct either

jointly or severally the foregoing hearings.

Issued this 11th day of December 1951.

[SEAL] LAWRENCE MYERS,
Director.

[F. R. Doc. 51-14869; Filed, Dec. 13, 1951; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-247]

ACCIDENT OCCURRING NEAR DENVER, COLO.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of the United States Registry N-17109, which occurred near Denver, Colorado, on December 4, 1951.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Tuesday, December 18, 1951, at 9:00 a. m. local time, in the Albany Hotel, Seventeenth and Stout Streets, Denver, Colorado.

Dated at Washington, D. C., December 10, 1951.

[SEAL] EVERETT S. BOSWORTH,
Presiding Officer.

[F. R. Doc. 51-14867; Filed, Dec. 13, 1951; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10096, 10097]

MANITOWOC BROADCASTING CO. (WWOC) AND ONEIDA BROADCASTING CO. (WOBT)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Edward D. Allen, Jr., and Edward W. Jacker, d/b as Manitowoc Broadcasting Company (WWOC), Manitowoc, Wisconsin, Docket No. 10096, File No. BMP-5556; for modification of construction permit; and The Oneida Broadcasting Company (WOBT), Rhinelander, Wisconsin, Docket No. 10097, File No. BP-8068; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of December 1951;

The Commission having under consideration the above-entitled application of Edward D. Allen, Jr., and Edward W. Jacker, d/b as Manitowoc Broadcasting Company for modification of construction permit to change the facilities of station WWOC so as to operate on 980 kc, with 1 kw power, daytime only; and the application of The Oneida Broadcasting Company for a construction permit to change facilities of station WOBT so as to operate on 980 kc, with 1 kw power unlimited time, using a directional antenna with different patterns day and night;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the financial, technical and other qualifications of the applicant partnership and its partners and the applicant corporation, its officers, directors and stockholders to construct and operate stations WWOC and WOBT as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations, and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14861; Filed, Dec. 13, 1951; 8:50 a. m.]

[Docket Nos. 10060, 10061]

W. H. GREENHOW CO. (WWHG) AND HORNELL BROADCASTING CORP. (WLEA)

ORDER CONTINUING HEARING

In re applications of The W. H. Greenhow Company (WWHG), Hornell, New York, Docket No. 10060, File No. BP-8024; for construction permit; Hornell Broadcasting Corporation (WLEA), Hornell, New York, Docket No. 10061, File No. BMP-5636; for modification of construction permit.

The Commission having under consideration a joint petition filed December 6, 1951, by The W. H. Greenhow Company (WWHG), Hornell, New York, and Hornell Broadcasting Corporation (WLEA), Hornell, New York, requesting a continuance of the hearing presently scheduled for January 22, 1952, in Washington, D. C., in the proceeding upon the above-entitled applications; and

It appearing, that the other party to this proceeding has consented to a grant of the petition and to a waiver of section 1.745 of the Commission's rules and regulations to permit the early consideration of this request;

It is ordered, This 7th day of December 1951, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Tuesday, March 11, 1952, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14862; Filed, Dec. 13, 1951; 8:50 a. m.]

[Docket No. 9885]

LAWRENCE COUNTY BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of James L. Harrison, J. E. Sowell, Harold Twitty and R. C. Wiley, d/b as Lawrence County Broadcasting Company, Lawrenceburg, Tennessee, Docket No. 9885, File No. BP-7756; for construction permit.

The Commission having under consideration the above-entitled application presently scheduled to be heard on December 31, 1951, in Washington, D. C.; and

It appearing, that December 31, 1951, has been declared a holiday; and that the offices of the Commission will be closed on that day;

It is ordered, This 7th day of December 1951, that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Wednesday, January 9, 1952, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14863; Filed, Dec. 13, 1951; 8:50 a. m.]

[Docket Nos. 7938, 9944]

WESTERN BROADCASTING ASSOCIATES AND WEST SIDE RADIO

ORDER CONTINUING HEARING

In re application of Western Broadcasting Associates, Modesto, California, Docket No. 7938, File No. BP-5336; West Side Radio, Tracy, California, Docket No. 9944, File No. BP-7802; for construction permits.

The Commission having under consideration a petition filed December 5, 1951, by West Side Radio, Tracy, California, requesting a 30-day continuance of the hearing herein presently scheduled for December 11, 1951; and

It appearing that on December 3, 1951, Western Broadcasting Associates filed a petition for dismissal of its application without prejudice; that on December 5, 1951, West Side Radio filed an opposition to the dismissal without prejudice

of the Western Broadcasting Associates application and also requested that its (West Side Radio) application be retained in hearing status; and that no action has yet been taken on this petition, opposition, and request; and

It further appearing that West Side Radio needs 30 days in which to complete its plans for providing the engineering data which would be necessary, in the event that the application of West Side Radio is permitted to remain on the hearing docket; that Counsel for the Commission's Broadcast Bureau and Counsel for KIRO, a party respondent herein, have consented to favorable action on this petition for continuance; and that Counsel for all parties have consented to immediate consideration of this petition for continuance and therefore the requirements of § 1.745 of the Commission's rules have been met;

It is ordered This 6th day of December 1951, that the petition of West Side Radio requesting a continuance of the hearing herein be and it is hereby granted, and the hearing is hereby continued to January 10, 1952, at 10:00 a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14864; Filed, Dec. 13, 1951; 8:51 a. m.]

[Docket Nos. 9605, 10019]

GULF BEACHES BROADCASTING CO., INC., AND ALABAMA-GULF RADIO

ORDER SCHEDULING HEARING

In re applications of Gulf Beaches Broadcasting Co., Inc., St. Petersburg Beach, Florida, Docket No. 9605, File No. BP-7302; Howard E. Pill, tr/as Alabama-Gulf Radio, Foley, Alabama; Docket No. 10019, File No. BP-8012; for construction permits.

The Commission having under consideration a petition, filed on November 26, 1951, by Howard E. Pill, tr/as Alabama-Gulf Radio, Foley, Alabama, requesting the Commission to designate the above-entitled applications for hearing and to assign a hearing date in the near future; and

It appearing, that the hearing in this proceeding was continued without date by order of August 31, 1951, and that petitioner now desires to have the hearing scheduled for a definite date; and

It further appearing, that there is no opposition to this petition and that the granting thereof as hereinafter ordered will conduce to the orderly dispatch of the Commission's business:

Now therefore it is ordered, This 7th day of December 1951, that the petition is granted, and the above-entitled applications are assigned for hearing to be commenced in Washington, D. C. on February 11, 1952, at 10:00 o'clock a. m.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14865; Filed, Dec. 13, 1951; 8:51 a. m.]

[Change List No. 12]

DOMINICAN REPUBLIC BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

NOVEMBER 24, 1951.

Notifications under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Dominican Republic Broadcast Stations modifying appendix containing assignments of Dominican Republic Broadcast Stations (Mimeograph 47214-2) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

DOMINICAN REPUBLIC

Call letters	Location	Power	Time Designation	Radiation	Class	Probable date to commence operation
HI8B	Bella Vista (Santiago)	610 kilocycles (see assignment on 1360 kc).				
HI8B	do	1360 kilocycles, 1 kw—D/0.1 kw—N.	U	ND	III-IV	Jan. 1, 1952
HI4F	San Francisco de Macoris	1440 kilocycles, 1 kw—D/0.1 kw—N.	U	ND	III-IV	Do.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14866; Filed, Dec. 13, 1951; 8:51 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY WITH RESPECT TO PROCUREMENT OF SERVICES FROM COLLEGES, UNIVERSITIES OR OTHER EDUCATIONAL INSTITUTIONS IN CONNECTION WITH SCIENTIFIC, RESEARCH AND INVESTIGATORY PROGRAMS OF THE NATIONAL PARK SERVICE

1. Pursuant to the authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949, as amended, hereinafter called the act, authority is hereby delegated to the Secretary of the Interior to exercise the following authority in connection with contracts for scientific, research and investigatory programs and activities of the National Park Service: To dispense with advertising in accord with section 302 (c) (5) of the act.

2. The authority herein delegated may be redelegated to any officer or employee of the Department of the Interior.

3. This delegation of authority shall be effective as of the date hereof.

Dated: December 10, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-14849; Filed, Dec. 13, 1951; 8:49 a. m.]

NATIONAL SCIENCE FOUNDATION

DESCRIPTION OF ORGANIZATION

Creation. The National Science Foundation Act of 1950, 64 Stat. 179, 42 U. S. C. Sup. 1861-75, established the National Science Foundation to promote the progress of science; advance the national health, prosperity, and welfare; and secure the national defense.

Purpose. The general purposes of the Foundation are to:

1. Develop and encourage the pursuit of a national policy for the promotion of basic research and education in the sciences.

2. Initiate and support basic scientific research.

3. Appraise the impact of research upon industrial development and upon the general welfare.

4. At the request of the Secretary of Defense, initiate and support specific scientific research activities in connection with matters relating to the national defense.

5. Award scholarships and graduate fellowships in the sciences.

6. Foster the interchange of scientific information among scientists in the United States and foreign countries.

7. Evaluate scientific research programs undertaken by agencies of the Federal Government, and correlate the Foundation's scientific research programs with those undertaken by others.

8. Provide a central clearinghouse for information covering scientific and technical personnel.

9. With the approval of the Secretary of State, cooperate in international scientific research activities.

Organization. The National Science Board consists of 24 members, appointed by the President, by and with the advice and consent of the Senate, from persons eminent in the fields of the basic sciences, medical science, engineering, agriculture, education, and public affairs, selected on the basis of established records of distinguished service and in a manner so as to provide representation of the views of scientific leaders in all areas of the Nation. The Executive Committee of the Board is composed of 9 members elected by the Board.

The Director, also appointed by the President, by and with the advice and consent of the Senate, is the chief executive officer of the Foundation and a nonvoting ex officio member of the Board. The Deputy Director, appointed by the Director, with the approval of the Board, performs functions prescribed by the Director, with the approval of the Board, and is Acting Director during the absence or disability of the Director or in the event of a vacancy of the office of the Director.

There are currently within the Foundation the following divisions:

Medical Research.
Mathematical, Physical and Engineering Sciences.
Biological Sciences.
Scientific Personnel and Education.

Programs. The major programs of the Foundation are:

1. Development of a national policy for basic research and education in the sciences.

2. Strengthening of basic research in the mathematical, physical, medical, biological, and engineering sciences by supporting conduct of such research by individuals or in educational, scientific and governmental organizations.

3. Award of graduate fellowships for scientific study at accredited institutions of higher education.

4. Promotion of the interchange of scientific information.

5. Evaluation of scientific research programs of Federal agencies and correlation of the Foundation's scientific research programs with other public and private programs.

Location. The Foundation's offices are at 2144 California Street Northwest, Washington, D. C. Its mail address is Washington 25, D. C.

ALAN T. WATERMAN,
Director.

NOVEMBER 30, 1951.

[F. R. Doc. 51-14846; Filed, Dec. 13, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2598]

NEW ENGLAND GAS AND ELECTRIC ASSN. AND ALGONQUIN GAS TRANSMISSION CO.

SUPPLEMENTAL ORDER GRANTING EXTENSION OF TIME TO CONSUMMATE SALE AND PURCHASE OF COMMON STOCK

DECEMBER 10, 1951.

New England Gas and Electric Association ("NEGEA"), a registered holding company, and one of its subsidiaries, Algonquin Gas Transmission Company ("Algonquin"), having filed a joint application-declaration and amendments thereto, pursuant to sections 6 (b), 7, 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-43 promulgated thereunder, with respect to (1) the proposed issuance and sale by Algonquin of not more than 77,500 additional shares of its $100 par value common stock by means of an offering to its stockholders, pursuant to preemptive rights, at a price of $100 per share, and (2) the proposed acquisition by NEGEA of such additional number of shares of Algonquin's common stock as will increase the investment of NEGEA in such stock to an amount not in excess of $3,000,000; and

The Commission by order dated April 13, 1951, having granted and permitted to become effective the aforesaid application-declaration (Holding Company Act Release No. 10504), and by order dated June 5, 1951 having, pursuant to the request of the applicants-declarants, extended to December 12, 1951, the period within which the aforesaid transactions may be consummated (Holding Company Act Release No. 10601); and

The applicants-declarants having notified the Commission that as of November 14, 1951, the aforementioned transactions had been partially consummated by the issuance and sale by Algonquin of 54,562 additional shares of its common stock, including 19,406.135 shares purchased by NEGEA, that such sale increased Algonquin's outstanding common stock to 57,062 shares, of which 20,300 shares were owned by NEGEA, and that it is contemplated that, prior to the end of 1951, Algonquin will issue and sell 11,000 additional shares of its common stock, including 3,983 shares to be purchased by NEGEA; and the applicants-declarants having requested that the Commission further extend the period within which the transactions may be consummated to June 12, 1952; and

The Commission deeming it appropriate to grant such request:

It is ordered, That the period within which the aforesaid transactions may be consummated be, and it hereby is, extended to June 12, 1952.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-14823; Filed, Dec. 13, 1951; 8:45 a. m.]

[File No. 70-2660]

CAMBRIDGE GAS LIGHT CO. ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

DECEMBER 10, 1951.

In the matter of Cambridge Gas Light Company, Dedham and Hyde Park Gas Company, Milford Gas Light Company, New Bedford Gas and Edison Light Company, Plymouth Gas Light Company, Worcester Gas Light Company; File No. 70-2660.

Cambridge Gas Light Company, Dedham and Hyde Park Gas Company, Milford Gas Light Company, Plymouth Gas Light Company, and Worcester Gas Light Company, subsidiary companies of New England Gas and Electric Association, a registered holding company, having filed a joint application and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act"), relating to the proposed issuance and sale by the applicants to the Travelers Insurance Company of unsecured promissory notes in an aggregate principal amount of $1,674,000; and

The Commission by order dated August 29, 1951 (Holding Company Act Release No. 10743), having granted the application, as amended, and said order having contained a reservation of jurisdiction with respect to the payment of any fees and expenses to be paid by the applicants to counsel for the Travelers Insurance Company in connection with the proposed transactions, the record with respect to such fees and expenses not having been completed; and

The applicants having filed a further amendment proposing to pay Ropes, Gray, Best, Coolidge & Rugg, counsel for the Travelers Insurance Company, legal fees aggregating $1,750 and not more than a total of $75 for disbursements; and

The Commission having examined the joint application, as amended, and having considered the information with respect to such fees and expenses and having concluded that said fees and expenses are not unreasonable;

It is ordered, That the jurisdiction heretofore reserved herein with respect to the payment of fees and expenses in connection with the issuance and sale of the notes of the applicants be, and it hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-14822; Filed, Dec. 13, 1951; 8:45 a. m.]

[File No. 70-2744]

UNITED GAS CORP. AND UNION PRODUCING CO.

ORDER AUTHORIZING BORROWINGS FROM BANKS

DECEMBER 7, 1951.

United Gas Corporation ("United"), a gas utility subsidiary of Electric Bond and Share Company, a registered holding company, and United's wholly-owned subsidiary, Union Producing Company ("Union"), having filed an application-declaration pursuant to sections 6 (a), 7, 9 (a) (1), 10 and 12 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

United has presently outstanding $25,000,000 of bank loans maturing on or before July 1, 1953. United proposes to borrow from certain banks, from time to time, within the next sixty days, additional sums not to exceed in the aggregate $10,000,000. Such borrowings will be evidenced by promissory notes dated as of the date of the borrowings, payable on or before July 1, 1953, and bearing interest at the rate of 3 percent per annum.

United proposes to use a portion of the proceeds from the sale of its notes to purchase, from time to time, during the next twelve months from Union an aggregate of $3,000,000 principal amount of Union's 3 percent promissory notes due on or before six years from the date of issue. The remainder of the proceeds from the sale of United's notes will be used to replenish its working capital and for general corporate purposes.

United presently owns $4,000,000 principal amount of Union's 3 percent six-year promissory notes of which $1,000,000 principal amount is pledged with the Corporate Trustee under United's Mortgage and Deed of Trust dated as of October 1, 1944, as supplemented. United proposes, in accordance with the provisions of such Mortgage and Deed of Trust and to the extent required by

such Mortgage, to deposit with the Corporate Trustee the promissory notes proposed to be purchased from Union.

Due notice having been given of the filing of the application-declaration, and a hearing not having been requested nor ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied, and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective, forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act that said application-declaration be, and hereby is, granted and permitted to become effective, forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-14821; Filed, Dec. 13, 1951; 8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[Public Announcement 7]

COLUMBIA BASIN PROJECT, WASHINGTON

SALE OF FULL-TIME FARM UNITS

NOVEMBER 21, 1951.

Columbia Basin Project, Washington, East Columbia Basin Irrigation District. Public announcement of sale of full-time farm units.

LANDS COVERED

SECTION 1. *Offer of farm units for sale.* It is hereby announced that certain farm units in the East Columbia Basin Irrigation District, Columbia Basin Project, Washington, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications to purchase farm units may be submitted beginning at 2:00 p. m., December 12, 1951.

The farm units hereby offered for sale by the United States are all in Grant County, Washington, and are described as follows:

Irrigation block No.	Farm unit No.	Total acreage	Irrigable acreage	Acreage by land class			Non-irrigable	Price
				1	2	3		
40	18	139.6	95.2	-------	5.2	90.0	43.4	$639.10
	93	81.8	69.0	-------	39.8	29.2	12.8	525.70
	94	78.8	74.7	-------	65.5	9.2	4.1	583.40
	95	78.8	76.3	-------	31.5	44.8	2.5	446.80
42	62	63.8	56.3	-------	-------	56.3	7.5	1,454.65
	69	54.5	44.4	18.8	20.7	4.9	10.1	2,598.30
	70	91.9	72.5	28.7	17.5	26.3	19.4	4,599.80
	71	123.5	103.0	1.9	46.2	54.9	20.5	3,362.50
	72	100.3	78.5	7.8	31.2	39.5	21.8	4,812.10
	73	85.8	70.2	-------	11.7	58.5	15.6	1,836.40
	74	88.4	83.0	22.9	41.0	19.1	5.4	4,531.30
	121	139.7	70.0	-------	40.5	29.5	69.7	2,734.90
	158	115.4	85.4	-------	10.6	74.8	30.0	2,116.00
	230	81.9	65.7	4.6	41.1	20.0	16.2	1,696.50
	231	99.7	93.3	43.6	32.9	16.8	6.4	2,345.20
	232	82.6	79.5	28.9	29.7	20.9	3.1	1,990.60
	233	81.8	60.2	13.5	26.9	19.8	21.6	1,889.50
	234	146.9	83.1	3.2	15.6	64.3	63.8	2,242.40
	235	82.4	77.0	34.9	31.3	10.8	5.4	1,970.00
	244	53.9	51.0	51.0	-------	-------	2.9	1,556.10
	245	57.1	55.3	55.3	-------	-------	1.8	1,660.80
	247	60.1	58.3	58.3	-------	-------	1.8	1,750.80
	248	71.6	65.3	64.8	.5	-------	6.3	1,965.30
	249	97.2	75.0	23.4	39.4	12.2	22.2	2,566.70
	250	66.9	65.3	40.7	24.6	-------	1.6	1,960.60
	251	78.0	77.2	32.1	44.7	.4	.8	1,930.80
	252	59.8	58.6	25.3	32.3	1.0	1.2	1,290.40
	253	63.8	61.9	35.1	26.8	-------	1.9	1,363.70
	254	66.4	64.5	24.8	39.7	-------	1.9	1,420.90
	255	68.7	62.1	20.6	37.9	3.6	6.6	1,434.90
	256	85.4	80.5	.2	62.9	17.4	4.9	1,775.90
	257	70.8	52.4	34.9	15.5	2.0	18.4	1,580.40
	258	121.0	94.5	24.8	29.1	40.6	26.5	2,340.70
	259	75.6	58.4	13.3	15.9	29.2	17.2	1,538.60
	260	150.0	65.2	-------	15.3	49.9	84.8	1,515.50
	261	104.7	87.0	-------	49.0	38.0	17.7	1,281.90
	262	52.3	38.4	-------	38.4	-------	13.9	589.40
	263	119.4	93.9	-------	23.1	70.8	25.5	1,599.90

The official plats of these irrigation blocks are on file in the office of the County Auditor, Grant County, Ephrata, Washington, and copies are on file in the office of the Bureau of Reclamation at Ephrata, Washington, and the regional office at Boise, Idaho.

SEC. 2. *Limit of acreage which may be purchased.* The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Regional Director, Region 1, Bureau of Reclamation, will support an average-size family at a suitable level of living. The law provides that with certain minor exceptions not more than one farm unit in the entire project may be held by any one owner or family. A family is defined as comprising husband or wife, or both, together with their children under 18 years of age, or all of such children if both parents are dead.

PREFERENCE RIGHT OF VETERANS OF WORLD WAR II

SEC. 3. *Nature of preference.* A preference right to purchase the farm units described above will be given to veterans of World War II (and in some cases to their husbands or wives or guardians of minor children) who submit applications during a 45-day period beginning at 2:00 p. m., December 12, 1951, and ending at 2:00 p. m., January 26, 1952, and who, at the time of making application, are in one of the following five classes:

a. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States for a period of at least ninety (90) days at any time on or after September 16, 1940, and prior to the termination of World War II, and have been honorably discharged.

b. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period prescribed in subsection a of this section, regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the government on account of such wounds or disability.

c. The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 7 (c) of this announcement regarding the provision that a married woman must be head of a family.)

d. The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person by guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

e. The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection a. of this section, or in the case of death or marriage of such spouse, the minor child or children of such person by a guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

SEC. 4. *Definition of honorable discharge.* An honorable discharge means:

a. Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

b. Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component, or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

QUALIFICATIONS REQUIRED OF PURCHASERS

SEC. 5. *Examining board.* An examining board of three members has been appointed by the Regional Director, Region 1, Bureau of Reclamation, to determine the qualifications and fitness of applicants to undertake the purchase, development, and operation of a farm on the Columbia Basin Project. The board will make careful investigations to verify

the statements and representations made by applicants. Any false statements may constitute grounds for rejection of an application, and cancellation of the applicant's right to purchase a farm unit.

SEC. 6. *Minimum qualifications.* Certain minimum qualifications have been established which are considered necessary for the successful development of farm units. Applicants must meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No added credit will be given for qualifications in excess of the required minimum. The minimum qualifications are as follows:

a. *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

b. *Farm experience.* Except as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) of full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a nonirrigated farm, but all applicants must have had farm experience of such nature as in the judgment of the examining board will qualify the applicant to undertake the development and operation of an irrigated farm by modern methods.

c. *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor.

d. *Capital.* An applicant must possess assets worth at least $4,500 in excess of liabilities. Assets must consist of cash, property readily convertible into cash or property such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than $500 or a passenger car at more than $500. Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a purchase contract.

SEC. 7. *Other qualifications required.* Each applicant (except guardian) must meet the following requirements:

a. Be a citizen of the United States or have declared an intention to become a citizen of the United States.

b. Not own outright, or control under a contract to purchase, more than ten acres of crop land or a total of 160 acres of land at the time of execution of a purchase contract for a farm unit.

c. If a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or minor child who is obliged to assume major responsibility for the support of a family may be the head of a family.

WHERE AND HOW TO SUBMIT AN APPLICATION

SEC. 8. *Filing application blanks.* Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached application blank and file it with the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, in person or by mail. Additional application blanks may be obtained from the office of the Bureau of Reclamation at Ephrata, Washington; Post Office Box 937, Boise, Idaho; or Washington, D. C. No advantage will accrue to an applicant who presents an application in person. Each application submitted, including the evidence of qualification to be submitted following the public drawing, will become a part of the records of the Bureau of Reclamation and cannot be returned to the applicant.

SELECTION OF QUALIFIED APPLICANTS

SEC. 9. *Priority of applications.* All applications will be classified for priority purposes as follows:

a. *First priority group.* All complete applications filed prior to 2:00 p. m., January 26, 1952, by applicants who claim veterans preference. All such applications will be treated as simultaneously filed.

b. *Second priority group.* All complete applications filed prior to 2:00 p. m., January 26, 1952, by applicants who do not claim veterans preference. All such applications will be treated as simultaneously filed.

c. *Third group.* All complete applications filed after 2:00 p. m., January 26, 1952. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

SEC. 10. *Public drawing.* After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 9 (a) of this announcement. Applicants need not be present at the drawing to participate therein. The names of a sufficient number of applicants (not less than four times the number of farm units to be offered for sale) shall be drawn and numbered consecutively in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 11. *Submission of evidence of qualification.* After the drawing, a sufficient number of applicants, in the order of their priority as established by the drawing, will be supplied with forms on which to submit evidence of qualification, showing that they meet the qualifications set forth in sections 6 and 7 of this announcement and, in case veterans preference is claimed, establishing proof of such preference, as set forth in section 3 of this announcement. Full and accurate answers must be made to all questions. The completed form must be mailed or delivered to the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, within 20 days of the date the form is mailed to the last address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the time period specified will subject his application to rejection.

SEC. 12. *Examination and interview.* After the information outlined in section 11 of this announcement has been received or the time for submitting such statements has expired, the board shall examine in the order drawn a sufficient number of applications together with the evidence of qualification submitted to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants.

If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 1, Bureau of Reclamation. All appeals must be received in the office of the Land Settlement Section, Bureau of Reclamation, Ephrata, Washington, within 15 days of the applicant's receipt of such notice or, in any event, within 30 days from the date when the notice is mailed to the last address furnished by the applicant. The Land Settlement Section will promptly forward the appeal to the Regional Director.

If the examination indicates that an applicant is qualified, the applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative

to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units.

If an applicant fails to appear before the board for a personal interview on the date requested, he will thereby forfeit his priority position as determined by the drawing.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units available then for purchase. Such notice will require the applicant to make a field examination of the farm units available to him and in which he is interested, to select a farm unit, and to notify the board of such selection within the time specified in the notice.

SELECTION OF FARM UNITS

SEC. 13. *Order of selection.* The applicants who have been notified of their qualification for the purchase of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the first priority group, the board will follow the same procedure outlined in section 10 of this announcement in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the first priority group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the second priority group, and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the first priority group.

Any farm units remaining unselected after all qualified applicants in the second priority group have had an opportunity to select a farm unit will be offered to applicants in the Third Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this announcement.

If any farm units offered by this announcement remain unsold for a period of two years following the date of this announcement, the District Manager, Columbia River District, Bureau of Reclamation, may sell, lease or otherwise dispose of such units to qualified applicants without regard to the provisions of section 10 of this announcement.

SEC. 14. *Failure to select.* If any applicant refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

PURCHASE OF SELECTED UNIT

SEC. 15. *Execution of purchase contract.* When a farm unit is selected by an applicant as provided in section 13 of this announcement, the District Manager will promptly give the applicant a written notice confirming the availability to him of the unit selected and will furnish the necessary purchase contract, together with instructions concerning its execution and return. In that notice the District Manager will also inform the applicant of the amount of the irrigation charges assessed by the East Columbia Basin Irrigation District or, if such charges have not been assessed, of an estimate of the amount of the charges for the first year of the development period, to be deposited with the District Manager.

If the purchase is made subsequent to April 1 of any year following the first year of the development period, a deposit will be required to cover the payment of water charges for the next full irrigation season following the purchase.

SEC. 16. *Terms of sale.* Contracts for the sale of farm units pursuant to this announcement will contain, among others, the following principal provisions:

a. *Down payment.* An initial or down payment of not less than 20 percent of the purchase price of the lands being purchased from the United States will be required. Larger proportions, or the entire amount of the price, may be paid initially at the purchaser's option.

b. *Schedule for payment of balance; interest rate.* If only a portion of the purchase price is paid initially, the remainder will be payable within a period of 20 years following the date of the contract. No payments on the principal, except the down payment, will be required during the first three years and the District Manager may postpone such payments for as long as the first five years of the contract. Interest on the unpaid balance at the rate of three percent per annum, however, will be payable annually. When payments on the principal are resumed, they will be payable each year. The schedule of principal payments, which will be established by the District Manager, will provide for relatively small payments during the first years and larger payments during the later years of the contract period. Payment of any or all installments, or any portion thereof, may be made before their due dates at the purchaser's option.

c. *Development requirements.* In order that the irrigable area of the entire farm unit shall be developed with reasonable dispatch, each purchaser will be required, as a minimum, to clear, level, irrigate, and plant to crops by the end of each of the calendar years indicated below, and to maintain in crops thereafter, the following areas of irrigable land:

Size of farm unit in irrigable areas	Percentage of irrigable land to be developed by end of each year (period will begin with year of purchase if contract is executed and water is available on or before May 1 of that year, otherwis period will begin with the next calenda year)			
	Second year	Third year	Fourth year	Fifth year
10 to 40	75	----------	----------	----------
41 to 60	50	75	----------	----------
61 to 80	50	65	75	----------
81 to 100	40	60	65	75
101 to 160	35	50	65	75

d. *Residence requirements.* A major objective of the settlement program for the Columbia Basin Project is to assist and encourage the permanent settlement of farm families. In keeping with this objective, each purchaser will be required to do the following with respect to residence: (1) Within one year from the date of his contract, or within one year from the date that water is available to the irrigation block in which the farm unit is located, whichever is later, to initiate residence by actually moving onto the unit, such residence to be maintained by living thereon for not less than 12 months within an 18-month period following the initial date of residence, and (2) before receiving title to the unit under the purchase contract, to establish a permanent and habitable dwelling on the unit. The time for compliance with the initiation of residence may be extended by the District Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it will not be detrimental to the orderly development of the irrigation block. The latest permissible date for initiating residence, however, will not be extended for more than one year in addition to the one-year period specified above. In extraordinary situations, the requirements under (1) and (2) above may be waived entirely upon the determination by the Regional Director, after recommendation by the District Manager, that such waiver will be in the interest of orderly development of the block. Any such waiver, however, shall be conditioned on the requirement that the purchaser reside close enough to his unit to permit him to develop it through his own efforts.

e. *Speculation and landholding limitations.* Purchase contracts and deeds covering farm units offered by this announcement will include provisions gov-

erning (1) maximum permissible sizes of holdings of irrigable land; (2) continued conformance of land to the area and boundaries of the farm unit plat for the block; (3) prices at which land can be resold during a period of five years following the date on which water is made available to the irrigation block; (4) disposal of land should it become excess at any time; and (5) limitations as to total area that may be operated on the project whether as lessee or as owner or both.

f. *Copies of contract form.* The terms listed above, and all other standard contract provisions, are contained in the purchase contract form, copies of which may be obtained by writing to the Bureau of Reclamation, Ephrata, Washington, or Post Office Box 937, Boise, Idaho.

IRRIGATION CHARGES

SEC. 17. *Water rental charges.* During the irrigation season of 1953, while some construction activities will be continuing and the system is being tested, it is expected that water will be furnished on a temporary rental basis to those desiring it. The terms of payment, which will be at a fixed rate per acre-foot of water used, will be announced by the Regional Director before the beginning of the irrigation season.

SEC. 18. *Development period charges.* Pursuant to the provisions of the repayment contract of October 9, 1945, between the United States and the East Columbia Basin Irrigation District, the Secretary of the Interior will announce development periods of ten years for Irrigation Blocks 40 and 42, during which time payment of construction charge installments will not be required. These periods probably will commence with the calendar year 1954. During the development period, water rental charges will average an estimated $5.50 per irrigable acre per year. This figure is preliminary and subject to change because all the data needed to fix the charges are not available nor can they be obtained now. In any event, there will be a minimum charge per farm unit each year whether or not water is used. A notice establishing the details of the plan to be followed and announcing charges and governing provisions for the first year of the development period will be issued prior to January 1 of that year, by the Regional Director, who has the responsibility for fixing these charges.

The present plans of the Regional Director are (a) to vary the minimum charge according to the anticipated relative repayment ability of the various land classes; (b) to provide for a small minimum charge for the first year and to increase it each year thereafter so that the charge for the tenth year will be approximately equal to the combined construction and operation and maintenance charge for the following year; and (c) to charge for water in excess of the amount furnished for the minimum charge on an acre-foot basis. The minimum charge will entitle each user to a quantity of water to be specified by the Regional Director, varying with the water requirement classification of the land and the size of the farm unit.

In addition to the water rental charges, the Irrigation District will levy an additional charge to cover administrative costs and probable delinquencies in collections.

SEC. 19. *Construction period repayment charges*—a. *Operation and maintenance charges.* After the development period has ended, water users will pay a charge for operation and maintenance of the project irrigation system which will be uniform for the irrigation blocks throughout the project. These charges may or may not be graduated among land classes. Assessment procedure will be left for the Irrigation District Board of Directors to determine, but, in any case, there will be an annual minimum charge per acre. In order to encourage careful use of water, this annual minimum charge will entitle the water user to one acre-foot of water per acre less than the amount of water normally required. The normal requirements for the various classes of land will be determined and announced as provided in the repayment contract with the East Columbia Basin Irrigation District. Water in excess of the quantity covered by the minimum charge will be paid for on an acre-foot basis in accordance with an ascending, graduated scale.

b. *Construction charges.* The contract between the United States and the East Columbia Basin Irrigation District requires the payment of construction charges for the project irrigation system during the forty years following the development period. The average construction charge per irrigable acre for the entire project will be $2.12 per year. Thus, the total construction charge payment will average $85 per irrigable acre. The contract further provides that construction charges shall be graduated according to the relative repayment ability of the land; consequently, the charge per irrigable acre will be larger for the better lands than for the poorer lands. This allocation of construction charges by classes of land will be made as soon as practicable.

R. D. SEARLES,
Under Secretary of the Interior.

[F. R. Doc. 51-14820; Filed, Dec. 13, 1951; 8:45 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[General Overriding Regulation 10, Special Order 6]

ANGIER CHEMICAL CO.

CEILING PRICES FOR SALES OF ANGIER'S EMULSION BY MANUFACTURER AND RESELLERS

Angier Chemical Company, Inc., Boston, Massachusetts.

Statement of Considerations. Angier Chemical Company has applied to the Office of Price Stabilization pursuant to General Overriding Regulation 10 for an adjustment of its ceiling prices for its product, Angier's Emulsion.

Applicant has submitted the information required by section 3 of the regulation and has produced evidence which in the judgment of the Director establishes that applicant is eligible for the adjustment requested.

On the basis of the information submitted, it appears that the applicant manufactures several proprietary drug products, the most important of which, Angier's Emulsion, accounts for more than half of applicant's sales and is sold to wholesale druggists at the following ceiling prices: 12-ounce bottles, $8.00 per dozen; 6-ounce bottles, $4.80 per dozen, subject in each case to a discount of 16⅔ percent, and subject to an additional discount of 2 percent for payment of the net price within 30 days. It further appears that applicant purchased the business from its founders early in 1950; that it has been operating at a loss with respect to its over-all manufacturing operations since that time; that the loss is attributable to the level of applicant's existing prices for Angier's Emulsion; that the adjusted ceiling prices specified below, for which the applicant has applied, will not be substantially out of line with the ceiling prices established for other sellers of similar commodities; and that if such adjusted prices are charged applicant's operations will not exceed a break-even position.

In the judgment of the Director, adjustment of the ceiling prices of resellers of Angier's Emulsion is necessary, corresponding to the adjustment in the manufacturer's ceiling prices established herein, and this order therefore permits resellers to increase their ceiling prices for Angier's Emulsion established under the General Ceiling Price Regulation, by 35 percent in the case of 12 ounce bottles, and 37½ percent in the case of 6 ounce bottles.

Paragraph 4 of this order requires financial reports for the last six months of 1951 and the first three months of 1952 to be submitted by applicant on or before February 15, 1952 and May 15, 1952, respectively. Paragraph 6 requires the applicant to supply a copy of this special order to each wholesale druggist to whom applicant sells Angier's Emulsion.

Special Provisions. For the reasons set forth in the Statement of Considerations and pursuant to sections 4 and 5 of General Overriding Regulation 10, this special order is hereby issued.

1. The ceiling prices of Angier Chemical Company, Inc., for sale of Angier's Emulsion to wholesale druggists shall be as follows: 12 ounce bottles, $10.80 per dozen; 6 ounce bottles, $6.60 per dozen, subject in each case to a discount of 16⅔ percent, and subject to an additional discount of 2 percent of the net price for payment within 30 days.

2. Wholesalers, retailers, and any other resellers of Angier's Emulsion may adjust their ceiling prices for Angier's Emulsion determined under the General Ceiling Price Regulation by multiplying such ceiling prices, in the case of 12 ounce bottles, by 1.35 and, in the case of 6 ounce bottles, by 1.375.

3. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

4. On or before February 15, 1952, Angier Chemical Company, Inc., shall file with the Director of Price Stabiliza-

tion, Washington 25, D. C., a profit and loss statement for its operations in the last 6 months of 1951 specifying the quantity of Angier's Emulsion sold to each class of purchaser and the prices charged. Applicant shall file a similar report for the first three months of 1952, on or before May 15, 1952.

5. The ceiling prices established by this order are applicable to sales of Angier's Emulsion by the manufacturer or resellers in the 48 States of the United States and in the District of Columbia.

6. Angier Chemical Company, Inc., shall deliver a copy of this special order to each wholesale druggist to whom it sells Angier's Emulsion, such delivery to be made in each case with or prior to the first delivery of Angier's Emulsion to the wholesale druggist after the effective date of this order.

Effective date. This special order shall become effective December 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14797; Filed, Dec 10, 1951; 4:59 p. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26628]

CRUDE PUMICE FROM WYOMING, COLORADO, AND IDAHO TO POINTS IN ILLINOIS AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3560.

Commodities involved: Pumice, crude or crushed, carloads.

From: Superior, Wyo., Antonito and Mesito, Colo.; Iona, Idaho, and other points in Idaho.

To: Specified points in Illinois and western trunk-line territories.

Grounds for relief: Circuitous routes, to maintain grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. E. Kipp, Agent, I. C. C. No. A-3560, Supp. 182.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-14835; Filed, Dec. 13, 1951; 8:46 a. m.]

[4th Sec. Application 26629]

CEMENT AND RELATED ARTICLES FROM LADDS, GA., TO FLORIDA

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1244.

Commodities involved: Cement, masonry cement, mortar cement, and dry building mortar, carloads.

From: Ladds, Ga.

To: Points in Florida.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1244, Supp. 1.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-14836; Filed, Dec. 13, 1951; 8:46 a. m.]

[4th Sec. Application 26630]

LUMBER FROM THE SOUTH TO BALTIMORE, MD., GROUP

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1214.

Commodities involved: Lumber and related articles, carloads.

From: Points in southern territory.

To: Baltimore, Md., and points grouped therewith.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1214, Supp. 31.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-14837; Filed, Dec. 13, 1951; 8:47 a. m.]

[4th Sec. Application 26631]

COTTONSEED OIL, FOOTS, AND SEDIMENT FROM KANSAS AND MISSOURI TO NEW ORLEANS, LA., AND MEMPHIS, TENN.

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for the Missouri-Kansas-Texas Railroad Company and other carriers.

Commodities involved: Cottonseed oil and its products, also oil foots or sediments, carloads.

From: Coffeyville and Emporia, Kans., and Kansas City, Mo.

To: Memphis, Tenn., and New Orleans, La.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3814, Supp. 10.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application with-

out further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14838; Filed, Dec. 13, 1951; 8:47 a. m.]

[4th Sec. Application 26632]

FENCE POSTS FROM THE SOUTHWEST TO IOWA AND EMMONS, IOWA-MINN.

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3954.

Commodities involved: Fence posts, carloads.

From: Points in the Southwest.

To: Points in Iowa, also Emmons, Iowa-Minn.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3954, Supp. 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14839; Filed, Dec. 13, 1951; 8:47 a. m.]

[4th Sec. Application 26633]

COMMODITY RATES BETWEEN UNIONVILLE, LACLEDE, AND GREEN CITY, MO., AND ADJACENT POINTS

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Chicago, Burlington & Quincy Railroad Company, for itself and on behalf of other carriers.

Commodities involved: Commodity rates.

Between: Points on the Chicago, Burlington & Quincy Railroad, Unionville to Laclede, Mo., inclusive, also Green City, Mo., on the one hand, and points in the United States, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14840; Filed, Dec. 13, 1951; 8:47 a. m.]

[4th Sec. Application 26634]

PUMICE FROM BERNALILLO, DOMINGO, AND SANTA FE, N. MEX., TO POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3987.

Commodities involved: Pumice, crude or ground, carloads.

From: Bernalillo, Domingo, and Santa Fe, N. Mex.

To: Points in official territory.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3987, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14841; Filed, Dec. 13, 1951; 8:47 a. m.]

[4th Sec. Application 26635]

ALUMINA, CALCINED OR HYDRATED, FROM LOUISIANA TO CINCINNATI, OHIO

APPLICATION FOR RELIEF

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Alumina, calcined or hydrated, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Cincinnati, Ohio.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: W. P. Emerson, Jr.'s tariff I. C. C. No. 378, Supp. 164.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14842; Filed, Dec. 13, 1951; 8:47 a. m.]

[Sec. 5a, Application 37]

SOUTHERN ILLINOIS MOTOR RATE CONFERENCE

APPLICATION FOR APPROVAL OF AGREEMENT

DECEMBER 11, 1951.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed by: H. A. Clark, Attorney-in-Fact, 237 North Ninth St., East St. Louis, Ill.

Agreement involved: An agreement between and among common carriers by motor vehicle relating to rates and rules and regulations pertaining thereto, for the transportation of property in a territory embracing points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined in St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, 1 M. C. C. 656, and 2 M. C. C. 285, Paducah, Ky., and points in Illinois, and procedures for the joint initiation, consideration, and establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14859; Filed, Dec. 13, 1951; 8:50 a. m.]